

Annual & 5th Year Mitigation Fee Report for the City of Colton, CA

as of June 30, 2014

Publication Date: December 17, 2014

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December 17, 2014

City Manager
City of Colton
650 N. La Cadena Drive
Colton, CA 92324

Attached is the Final Annual & 5th Year Mitigation Fee Report prepared for the City. RCS would like to thank staff for reviewing the Draft and suggesting changes based on subsequent events that occurred after the RCS field work.

This report should be received by the City Council and the issues raised by the Summary of Findings on page 3 should be addressed.

Sincerely,

A handwritten signature in cursive script that reads "Rick Kermner".

RICK KERMNER
President

REPORT SUMMARY

The following is a definition of development impact fees written for the League of California Cities - City Attorney Department:

“A development impact fee is a monetary exaction other than a tax or special assessment that is charged by a local governmental agency to an applicant in connection with approval of a development project for the purpose of defraying all or a portion of the cost of public facilities related to the development project (Gov. Code § 66000(b).) The legal requirements for enactment of development impact fee program are set forth in Government Code §§ 66000-66025 (the ‘Mitigation Fee Act’), the bulk of which were adopted as 1987’s AB 1600 and thus are commonly referred to as ‘AB 1600 requirements.’ A development impact fee is not a tax or special assessment; by its definition, a fee is voluntary and must be reasonably related to the cost of the service provided by the local agency. If a development impact fee does not relate to the impact created by development or exceeds the reasonable cost of providing the public service, then the fee may be declared a special tax and must then be subject to a two-thirds voter approval. (Cal. Const., Art. XIII A, § 4.)”¹

Government Code Sections 66000 through 66008 are found in Appendix A of this Report.

For each account or fund established under the Mitigation Fee Act, the following information is required to be reported annually within 180 days after the end of the fiscal year: (The following is a paraphrase of GC § 66006(b)(1) with actions taken.)

1. A brief description of the type of fee in the account or fund.
-Found in the discussion for each fee.
2. The amount of the fee.
-Found in the discussion for each fee.
3. The beginning and ending balance of the account or fund.
-Annual balances found on the Summary of Fund Revenues & Expenditures for each DIF. June 30, 2014 balances reconciled

¹ *A Short Overview of Development Impact Fees*, Brown, Peter N. & Lyons, Graham, League of California Cities, 2003

to the audit report are found in the overall Summary schedule on page 4.

4. The amount of the fees collected and the interest earned.
-Annual balances found on the Summary of Fund Revenues & Expenditures for each DIF.
5. An identification of each public improvement on which fees were expended and the amount of the expenditures on each improvement, including the total percentage of the cost of the public improvement that was funded with fees.
-Project detail when available is found on the Summary of Expenditures for each DIF. The percentage of the cost that was funded with fees is 100% unless otherwise stated.
6. An identification of an approximate date by which the construction of the public improvement will commence if the local agency determines that sufficient funds have been collected to complete financing on an incomplete public improvement.
-This information should be provided by staff.
7. A description of each interfund transfer or loan made from the account or fund, including the public improvement on which the transferred or loaned fees will be expended, and, in the case of an interfund loan, the date on which the loan will be repaid and the rate of interest that the account or fund will receive on the loan.
-Historical loans are discussed with the DIFs in Fund 250. No formalities were followed and all loans have been covered by new revenues.
8. Any required refunds made.
-This section does not apply.

In addition to the above reporting requirements, every five years following the first deposit into the account or fund and every five years thereafter, the following additional findings shall be made for any unexpended monies:

- A. Identify the purpose to which the fee is to be put.
-This information should be provided by staff.
- B. Demonstrate a reasonable relationship between the fee and the purpose for which it is charged.
-This information should be provided by staff.
- C. Identify all sources and amounts of funding anticipated to complete financing incomplete improvements.

- This information should be provided by staff.

- D. Designate the approximate dates on which the funding in “C” is expected to be deposited into the appropriate account or fund.

- This information should be provided by staff.

PURPOSE AND SCOPE OF REPORT

It is the goal of this report to create a framework for meeting the reporting requirements of the Mitigation Fee Act.

SUMMARY OF FINDINGS

The following summarizes without repeating the findings for each impact fee:

- 1) Each impact fee should be in its own fund with no extraneous revenues included except for interest earned by the fund cash balance.
- 2) With the exception of the Library Impact Fee, all impact fees have met the 5-year test.
- 3) The City Council needs to specify for what purpose the Library Impact Fee balance is to be spent.

OVER ALL SUMMARY SCHEDULE OF REVENUES & EXPENDITURES

The schedule on the following page shows all of the DIFs and their reconciliation to the June 30, 2014, audit report.

DETAIL FOR INDIVIDUAL DIFs

The detail for each fee follows the Summary schedule in sequence by fund number:

Fund 248 - Park Development Fund
Fund 249 - Traffic Impact Fund
Fund 250 - New Facilities Development Fee Fund

The Appendix includes the following documents:

- A. California Government Code Sections 66000-66008
- B. Ordinance O-02-00 and the City Staff Report
- C. Ordinance O-14-06 and the City Staff Report
- D. Current Fees being used
- E. Staff Analysis of Fund 250 (up to 9/22/14)

CITY OF COLTON
SUMMARY OF DEVELOPMENT IMPACT FEE REVENUES & EXPENDITURES
BY
DEVELOPMENT IMPACT FUND
FROM INCEPTION IN 2000-01 THROUGH 2013-14

CAPITAL FACILITIES FUNDS	PRIOR BALANCE	REVENUES				EXPENDITURES			AVAILABLE BALANCE
		DIF	OTHER DIF/ NON-DIF REV.	INT./TSFR IN	TOTAL	OUTLAY	TSFR OUT	TOTAL	
CIVIC CENTER DEVELOPMENT IMPACT FUND	\$0.00	\$105,443.46	\$0.00	\$4,211.49	\$109,654.95	\$93,931.84	\$0.00	\$93,931.84	\$15,723.11
FIRE PROTECTION DEVELOPMENT IMPACT FUND	\$0.00	\$146,135.72	\$0.00	\$5,849.05	\$151,984.77	\$115,362.07	\$0.00	\$115,362.07	\$36,622.70
LIBRARY DEVELOPMENT IMPACT FUND	\$0.00	\$184,214.29	\$0.00	\$7,883.14	\$192,097.43	\$40,183.30	\$0.00	\$40,183.30	\$151,914.13
LAW ENFORCEMENT DEVELOPMENT IMPACT FUND	\$0.00	\$209,462.01	\$0.00	\$8,310.37	\$217,772.38	\$203,359.77	\$0.00	\$203,359.77	\$14,412.61
TRAFFIC IMPACT FUND	\$0.00	\$3,469,692.38	\$2,060,691.60	\$901,718.22	\$6,432,102.20	\$4,397,874.64	\$0.00	\$4,397,874.64	\$2,034,227.56
PARK DEVELOPMENT FUND	\$0.00	\$872,838.84	\$617,497.44	\$452,275.07	\$1,942,611.35	\$1,446,816.78	\$0.00	\$1,446,816.78	\$495,794.57
SUMMARY	\$0.00	\$4,987,786.70	\$2,678,189.04	\$1,380,247.34	\$9,046,223.08	\$6,297,528.40	\$0.00	\$6,297,528.40	\$2,748,694.68

RECONCILIATION TO AUDIT REPORT AS OF 6/30/2014:

Fund 248	Park Development (Park Impact & Quimby Fee)	\$495,794.57
Fund 249	Traffic Impact Fund (Traffic Impact & Nexus Infrastructure)	\$2,034,227.56
Fund 250	New Facilities Development Fund (Civic Center, Fire, Library & Law Enforcement)	\$218,672.55

TOTAL EQUITY AND OTHER CREDITS	\$2,748,694.68
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Notes:

- 1) The column titled "OTHER DIF/NON-DIF REV." accounts for: (1) the Nexus Infrastructure DIF in the Traffic Impact Fund; and, (2) the Quimby Fees & Park Grant monies in the Park Dev.Fund.
2) The Traffic Impact Fund information begins with FY 1995-96.

PARK DEVELOPMENT FUND

FUND 248

OVERVIEW

The City adopted a Parks Development Impact Fee (DIF) by Ordinance O-02-00 on March 21, 2000. The adopted fees were effective on July 1, 2000. The fees were deposited into an existing fund (248) which was established earlier to account for the City's Quimby fees. There was no separation of the revenue accounts for the two fees until fiscal year 2008-09.

There is no indication in the accounting records which projects were paid from Quimby Fees and which projects were paid from Park Impact Fees. Consequently, it is impossible to separate accounting for the two revenue sources.

In addition, this fund was used for the revenues and expenditures related to a Parks Bond Grant beginning in fiscal year 2002-03. A schedule of transactions for this Grant are listed below. Based on my analysis of the transactions, there appears to be monies still on deposit at the City that are not part of Quimby/DIF.

Since the balance of Quimby monies is unknown prior to the City separating the Quimby and Parks DIF monies in fiscal year 2008-09, it is also unknown whether any monies in the current fund balance are Quimby monies. Fortunately, there is no time requirement on the expenditure of Quimby monies.

The fund balance as of June 30, 2014, in the Parks Fund (248) is \$495,795 prior to any year-end adjustments. The oldest money in the Fund is \$33,217 for fiscal year 2009-10 which means that the City has no Parks DIF monies that are more than 5-years old.

The Ordinance that established the Parks DIF (O-02-00) directed staff in Article 3 "...to commission a comprehensive citywide master plan and needs assessment studies for parks with the goal of establishing future park fees." I was unable to obtain a copy of the master plan from staff.

Although, there is no legal requirement that the City have a list of projects that support the DIFs, it is nevertheless considered a "best practice" and would expose the City's DIFs to being challenged if there were no such list.

PARKS BOND GRANT TRANSACTIONS

The following is a schedule of the grant transactions which were removed from the DIF analysis:

Fiscal Year	Description of Transaction	Amount
2002-2003	Grant monies posted to 248-5789 Colton School Soccer Field	\$25,000
2003-2004	Received donations posted to 248-5789	\$50,000
2003-2004	Transferred monies to Fund 457 for Soccer Field	\$(300,000)
2004-2005	Balance of grant monies received	\$250,000
	Balance	\$25,000

The easiest solution would be for the City to declare that these monies are donations that could still be spent for soccer field operations or improvements.

SCHEDULE OF PARK DIF RATE HISTORY

The following schedule shows the history of this fee:

	O-02-00		Current
Residential (per Unit)			
Single Family Housing	\$936		\$5,636
Multiple Family Housing	\$831		\$3,593
Mobile Homes			\$4,073
Second Residential Units			\$1,497
Nonresidential (per Sq.Ft.)			
Retail/Other	Ord. 1522		\$0.28
Office	Ord. 1522		\$0.46
Industrial	Ord. 1522		\$0.19

PARK DIF EXPENDITURES

The schedule on the next page has two parts. The top part shows the projects associated with this fund. Some of the projects were actually accounted for in the Capital Projects Fund (457) and the Parks Fund reimbursed the Capital Projects Fund.

The bottom part shows the fiscal year revenues that financed the projects. This bottom part is necessary to assure compliance with the fiscal year expenditure requirements of AB-1600.

CITY OF COLTON
SUMMARY OF DEVELOPMENT IMPACT FEE ANNUAL EXPENDITURES
FOR
PARK DEVELOPMENT FUND
FROM INCEPTION IN 2001-02 THROUGH FY 2013-14

EXPENDITURES	2000-01	2001-02	2002-03	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	TOTAL
Capital Projects Unidentified				\$300,000.00				(\$122,341.12)						\$52,959.75	\$230,618.63
Capital Project #6955	\$44,711.13	\$1,117.73	\$256,212.05	\$314,331.07	\$7,538.64										\$623,910.62
Capital Project #6956	\$23,912.91	\$263.37													\$24,176.28
Capital Project #6957		\$9,946.99	\$7,502.20	\$12,973.41	\$64,999.83										\$95,422.43
Capital Project #6959			\$15,334.65	\$3,204.75											\$18,539.40
Colton Middle School Lighting					\$40,406.91										\$40,406.91
Capital Project #0543						\$2,115.58	\$37,872.78								\$39,988.36
Capital Project #0544						\$683.00	\$44,283.91								\$44,966.91
Capital Project #6203														\$17,999.80	\$17,999.80
Colton Bike Lane (FD 457)							\$60,657.92	\$69,342.08							\$130,000.00
Elizabeth David Park (FD 450)								\$90,000.59							\$90,000.59
LaC. Multi-Use Pk (FD 450)								\$41,964.25		\$18,348.60					\$60,312.85
Chavez Pk.P'gd Imp.(FD 450)													\$30,474.00		\$30,474.00
															\$0.00
TOTAL	\$68,624.04	\$11,328.09	\$279,048.90	\$630,509.23	\$112,945.38	\$2,798.58	\$142,814.61	\$78,965.80	\$0.00	\$18,348.60	\$0.00	\$0.00	\$30,474.00	\$70,959.55	\$1,446,816.78

APPLIED TO FISCAL YEAR															
FY 2000-01	\$68,624.04	\$11,328.09	\$279,048.90	\$20,698.44											\$379,699.47
FY 2001-02				\$213,882.63											\$213,882.63
FY 2002-03				\$95,663.83											\$95,663.83
FY 2003-04				\$186,929.96											\$186,929.96
FY 2004-05				\$113,334.37	\$112,945.38	\$2,798.58	\$49,258.87								\$278,337.20
FY 2005-06							\$93,555.74	\$23,416.93							\$116,972.67
FY 2006-07								\$55,548.87		\$429.87					\$55,978.74
FY 2007-08										\$17,918.73			\$14,663.06		\$32,581.79
FY 2008-09													\$14,564.93		\$14,564.93
FY 2009-10													\$1,246.01	\$70,959.55	\$72,205.56
FY 2010-11															\$0.00
FY 2011-12															\$0.00
FY 2012-13															\$0.00
FY 2013-14															\$0.00
APPLIED TOTAL	\$68,624.04	\$11,328.09	\$279,048.90	\$630,509.23	\$112,945.38	\$2,798.58	\$142,814.61	\$78,965.80	\$0.00	\$18,348.60	\$0.00	\$0.00	\$30,474.00	\$70,959.55	\$1,446,816.78

PARKS REVENUE & EXPENDITURE SUMMARY SCHEDULE

The schedule on the next page summarizes the revenues received by the fund in each fiscal year and the expenditures paid with those revenues. The expenditures for each fiscal year come from the bottom part of the prior schedule.

FINDINGS

Findings are presented in each DIF section and summarized in the front of this Report.

1) By combining Quimby Fees, Parks Impact Fees, State Parks Grants and donations, the accounting for any one of these items becomes difficult. It is recommended that the revenues and expenditures for park impact fees be in their own fund.

2) Park Impact Fees have been spent within the five-year period required by law.

CITY OF COLTON
SUMMARY OF DEVELOPMENT IMPACT FEE REVENUES & EXPENDITURES
FOR THE
PARK DEVELOPMENT FUND
FROM INCEPTION IN 2000-01 THROUGH 2013-14

FISCAL YEAR	PRIOR BALANCE	REVENUES (248-6730/6732)				EXPENDITURES BY YEAR OF FUNDING			AVAILABLE BALANCE
		PARK DIF	PARK GRANT/ QUIMBY	INT./TSFR IN	TOTAL	OUTLAY	TSFR OUT	TOTAL	
2000-01	\$0.00	\$30,924.09		\$348,775.38	\$379,699.47	\$379,699.47		\$379,699.47	\$0.00
2001-02	\$0.00	\$162,007.56	\$43,000.00	\$8,875.07	\$213,882.63	\$213,882.63		\$213,882.63	\$0.00
2002-03	\$0.00	\$64,205.32		\$31,458.51	\$95,663.83	\$95,663.83		\$95,663.83	\$0.00
2003-04	\$0.00	(\$936.00)	\$136,121.79	\$51,744.17	\$186,929.96	\$186,929.96		\$186,929.96	\$0.00
2004-05	\$0.00	\$27,373.00	\$250,593.00	\$371.20	\$278,337.20	\$278,337.20		\$278,337.20	\$0.00
2005-06	\$0.00	\$77,688.00	\$37,312.00	\$1,972.67	\$116,972.67	\$116,972.67		\$116,972.67	\$0.00
2006-07	\$0.00	\$51,410.00		\$4,568.74	\$55,978.74	\$55,978.74		\$55,978.74	\$0.00
2007-08	\$0.00	\$31,714.00		\$867.79	\$32,581.79	\$32,581.79		\$32,581.79	\$0.00
2008-09	\$0.00	\$12,375.00	\$1,886.00	\$303.93	\$14,564.93	\$14,564.93		\$14,564.93	\$0.00
2009-10	\$0.00	\$69,429.00	\$35,752.00	\$241.95	\$105,422.95	\$72,205.56		\$72,205.56	\$33,217.39
2010-11	\$33,217.39	\$36,495.00	\$19,716.00	\$834.31	\$57,045.31	\$0.00		\$0.00	\$90,262.70
2011-12	\$90,262.70	\$33,618.40	\$13,796.65	\$613.00	\$48,028.05	\$0.00		\$0.00	\$138,290.75
2012-13	\$138,290.75	\$87,445.70	\$27,872.00	\$774.08	\$116,091.78	\$0.00		\$0.00	\$254,382.53
2013-14	\$254,382.53	\$189,089.77	\$51,448.00	\$874.27	\$241,412.04	\$0.00		\$0.00	\$495,794.57
SUMMARY	\$0.00	\$872,838.84	\$617,497.44	\$452,275.07	\$1,942,611.35	\$1,446,816.78	\$0.00	\$1,446,816.78	\$495,794.57

TRAFFIC IMPACT FUND

FUND 249

Includes:

Long Range Developer Traffic Impact Fees
Nexus Infrastructure (“SANBAG”)

OVERVIEW

Traffic Impact Fees were collected by the City since at least the early 1990's. The initial study was probably the Mohle, Grover and Associates study in 1993 which was revised and updated by City staff in 1999. With the State's passage of AB 1600, the City adopted conforming fees in Ordinance O-02-00. This Ordinance was adopted on March 21, 2000 and became effective on July 1, 2000. To avoid confusion with newer fees, this group of fees is referred to as the Long Range Developer Traffic Impact Fees or Traffic Impact Fees.

On September 19, 2006, the Council adopted Ordinance O-14-06 which updated the Traffic Impact Fees adopted by Ordinance O-02-00 and added a new group of circulation fees for arterial, interchange and railroad crossing improvements. These new fees were based on a nexus study commissioned by SANBAG which apportioned the fees to all cities in the county. These fees are referred to as the Infrastructure Fees, the Nexus Infrastructure Fees or the SANBAG Fees.

Both fees have been accounted for in the same fund. Although the revenues were posted to separate revenue accounts, no effort was made to associate interest earnings or projects with the different revenues. Consequently, both fees are treated jointly.

TRAFFIC IMPACT FEE RATE HISTORY

The following schedule shows the history of this fee since its first adoption under the provisions of AB 1600. A previous fee had been in effect since 1993.

	O-02-00 ²	O-14-06	Current
Residential (per Unit)			
Single Family Housing	\$940	\$1,381.80	\$1,381.80
Multiple Family Housing-Apartments	\$570	\$837.90	\$837.90
Multiple Family Housing-Condos	\$550	\$808.50	\$808.50
Mobile Home		\$661.50	\$661.50
Nonresidential			
Commercial: C1 & C2	Var.-See Ord.	Var.-See Ord.	See Fee Sch.
Office Business Park	Var.-See Ord	Var.-See Ord	See Fee Sch.
Industrial: M1 & M2	Var.-See Ord	Var.-See Ord	See Fee Sch.
Industrial Park	Var.-See Ord	Var.-See Ord	See Fee Sch.

Ordinance O-02-00 is found in Appendix B. Ordinance O-14-06 is found in Appendix C, and the Current Fees are found in Appendix D.

The current fee schedule lists sixty-two (62) distinct categories of land use subject to different fees. The different fees utilize nine (9) different units of measure with the most common being dwelling-units and 1,000 square feet.

² Fee is based on development unit which is a dwelling unit for residential and 1,000 square feet of building area for commercial and industrial.

SANBAG FEE RATE HISTORY

The following schedule shows the history of this fee since its adoption on September 5, 2006 by Ordinance O-14-06:

	O-14-06	Current
Residential (per Unit)		
Single Family Housing	\$3,149	\$4,007
Multiple Family Housing	\$1,928	\$2,453
Nonresidential (per 1,000 sq.ft.)		
Retail	\$6,360	\$8,093
Office	\$3,030	\$3,856
Industrial	\$1,546	\$1,967

Ordinance O-14-06 is found in Appendix C, and the Current Fees are found in Appendix D.

The projects for these fees are enumerated and annually updated by the ENR construction cost tables without the need for an ordinance to revise them.

IMPACT FEE EXPENDITURES

The schedule on the next page has two parts. The top part shows the projects associated with this fund. The projects were mostly accounted for in Fund 249 (Traffic Impact Fund). The projects are identified with as much information as was available in the accounting reports without going into the detail.

The bottom part of the schedule on the next page shows the fiscal year revenues that financed the projects. This bottom part is necessary to assure compliance with the fiscal year expenditure requirements of AB-1600.

No effort was made in the accounting records to distinguish the funding source for the projects.

CITY OF COLTON
SUMMARY OF DEVELOPMENT IMPACT FEE ANNUAL EXPENDITURES
FOR
TRAFFIC IMPACT FUND
FROM INCEPTION IN 1995-96 THROUGH FY 2013-14

EXPENDITURES	1995-2001	2001-02	2002-03	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	TOTAL
Professional Services	\$91,644.56	\$47,633.75	\$23,358.25				\$42,270.89			\$69,409.85	\$40,927.29	\$45,377.30	\$30,000.00	\$193,597.90	\$584,219.79
Colton Railroad Crossing											\$450,000.00				\$450,000.00
RDA Loan Not Repaid													\$199,827.02		\$199,827.02
Transfer to the General Fd	\$20,500.00														\$20,500.00
Teen Center									\$131,584.42	\$118,415.58					\$250,000.00
Traf.Sig. - LaLoma/LaCadena								\$5,560.10							\$5,560.10
Other Projects Not Identified	\$396,523.40	\$6,640.90	\$17,499.82	\$189,127.05	\$196,714.33	\$51,876.80		\$247,686.09	\$108,654.11						\$1,214,722.50
Randall St.Basin Project									\$4,513.93						\$4,513.93
Traf.Sig. @ Rancho & Ag.M.							\$43,975.97	\$13,314.69	\$188,982.56						\$246,273.22
Traf.Sig. @ Rancho & LaC.								\$9,272.91	\$2,859.18	\$28,434.25					\$40,566.34
Aqua Mansa Rd SAWPA										\$400,750.16	\$6,150.00	\$13,850.00			\$420,750.16
Washington Interconn.Proj.							\$58,840.85								\$58,840.85
Sig.Mods. @ Mt.V & Colton						\$31,428.23									\$31,428.23
Traf.Sig. - Citrus & Rancho					\$21,007.83	\$302,622.96	\$6,369.21	\$0.41							\$330,000.41
Colton Bike Lane								\$245,000.00							\$245,000.00
St.Signal Upg. MtV & Valley									\$27,469.56	\$14,749.15	\$8,841.16		\$3,940.00		\$54,999.87
Mt Vernon Bridge Widening														\$25,840.94	\$25,840.94
Traf.Sig. - Iowa & Main					\$7,410.00	\$34,313.69	\$7,561.64								\$49,285.33
Traf.Sig. - Barton & LaCadena					\$8,026.81	\$37,432.31	\$120,086.83								\$165,545.95
TOTAL	\$508,667.96	\$54,274.65	\$40,858.07	\$189,127.05	\$233,158.97	\$457,673.99	\$279,105.39	\$520,834.20	\$464,063.76	\$631,758.99	\$505,918.45	\$59,227.30	\$233,767.02	\$219,438.84	\$4,397,874.64

APPLIED TO FISCAL YEAR															
FY 1995-96 to 2000-01	\$508,667.96	\$54,274.65	\$40,858.07	\$189,127.05	\$233,158.97	\$395,722.05									\$1,421,808.75
FY 2001-02						\$61,951.94	\$64,405.69								\$126,357.63
FY 2002-03							\$103,675.65								\$103,675.65
FY 2003-04							\$111,024.05	\$252,986.80							\$364,010.85
FY 2004-05								\$199,232.58							\$199,232.58
FY 2005-06								\$68,614.82	\$464,063.76	\$270,228.77					\$802,907.35
FY 2006-07										\$266,193.73					\$266,193.73
FY 2007-08										\$95,336.49	\$181,455.04				\$276,791.53
FY 2008-09											\$316,385.34				\$316,385.34
FY 2009-10											\$8,078.07	\$59,227.30	\$103,821.50		\$171,126.87
FY 2010-11													\$129,945.52	\$97,970.87	\$227,916.39
FY 2011-12														\$43,877.37	\$43,877.37
FY 2012-13														\$77,590.60	\$77,590.60
FY 2013-14															\$0.00
APPLIED TOTAL	\$508,667.96	\$54,274.65	\$40,858.07	\$189,127.05	\$233,158.97	\$457,673.99	\$279,105.39	\$520,834.20	\$464,063.76	\$631,758.99	\$505,918.45	\$59,227.30	\$233,767.02	\$219,438.84	\$4,397,874.64

SUMMARY OF REVENUES AND EXPENDITURES

The schedule on the next page is divided vertically into two major sections: Revenues and Expenditures. The Revenue section shows the DIF collections by fiscal year by each fee and the interest assigned to the fee balance.

The Expenditure section shows the project costs assigned to that year's revenues. These costs are the "row" totals from the bottom section of the prior schedule. The goal of the expenditure section is to show when a year's DIFs were spent in order to show compliance with AB1600.

PROJECTS FUNDED WITH DIFs

Projects for both DIFs are found in the staff report for Ordinance O-14-06 which is found in Appendix C.

FINDINGS

Findings are presented in each DIF section and summarized in the front of this Report.

- 1) By combining the original Traffic Impact Fee with the SANBAG Fee, the City's accounting system does not give a clear picture of the individual fees. It is recommended that each impact fee be in its own fund.
- 2) Traffic Impact Fees and SANBAG Fees have been spent within the five-year period required by law.

CITY OF COLTON
SUMMARY OF DEVELOPMENT IMPACT FEE REVENUES & EXPENDITURES
FOR THE
TRAFFIC IMPACT FUND
FROM INCEPTION IN 1995-96 THROUGH 2013-14

FISCAL YEAR	PRIOR BALANCE	REVENUES (249-6731/7829)				EXPENDITURES BY YEAR OF FUNDING			AVAILABLE BALANCE
		LOCAL TRAF. DIF	NEXUS INFRA. DIF	INT./TSFR IN	TOTAL	OUTLAY	TSFR OUT	TOTAL	
1995-2001	\$0.00	\$766,592.60		\$655,216.15	\$1,421,808.75	\$1,421,808.75		\$1,421,808.75	\$0.00
2001-02	\$0.00	\$103,855.52		\$22,502.11	\$126,357.63	\$126,357.63		\$126,357.63	\$0.00
2002-03	\$0.00	\$91,829.51		\$11,846.14	\$103,675.65	\$103,675.65		\$103,675.65	\$0.00
2003-04	\$0.00	\$352,310.92		\$11,699.93	\$364,010.85	\$364,010.85		\$364,010.85	\$0.00
2004-05	\$0.00	\$170,006.69		\$29,225.89	\$199,232.58	\$199,232.58		\$199,232.58	\$0.00
2005-06	\$0.00	\$776,194.84		\$26,712.51	\$802,907.35	\$802,907.35		\$802,907.35	\$0.00
2006-07	\$0.00	\$200,590.07		\$65,603.66	\$266,193.73	\$266,193.73		\$266,193.73	\$0.00
2007-08	\$0.00	\$250,579.42		\$26,212.11	\$276,791.53	\$276,791.53		\$276,791.53	\$0.00
2008-09	\$0.00	\$111,545.31	\$178,785.30	\$26,054.73	\$316,385.34	\$316,385.34		\$316,385.34	\$0.00
2009-10	\$0.00	\$16,545.43	\$138,657.70	\$15,923.74	\$171,126.87	\$171,126.87		\$171,126.87	\$0.00
2010-11	\$0.00	\$15,623.00	\$206,800.23	\$5,493.16	\$227,916.39	\$227,916.39		\$227,916.39	\$0.00
2011-12	\$0.00	\$3,642.00	\$39,554.20	\$681.17	\$43,877.37	\$43,877.37		\$43,877.37	\$0.00
2012-13	\$0.00	\$124,917.07	\$406,514.50	\$831.62	\$532,263.19	\$77,590.60		\$77,590.60	\$454,672.59
2013-14	\$454,672.59	\$485,460.00	\$1,090,379.67	\$3,715.30	\$1,579,554.97	\$0.00		\$0.00	\$2,034,227.56
SUMMARY	\$0.00	\$3,469,692.38	\$2,060,691.60	\$901,718.22	\$6,432,102.20	\$4,397,874.64	\$0.00	\$4,397,874.64	\$2,034,227.56

NEW FACILITIES DEVELOPMENT FEE FUND

FUND 250

Includes Impact Fees for:

Civic Center

Fire Protection

Library

Law Enforcement

OVERVIEW

By Ordinance O-02-00 on March 21, 2000, the City adopted DIFs for the Civic Center (Section 7), for Fire Protection (Section 8), for Library (Section 9) and for Law Enforcement (Section 10). The adopted fees were effective on July 1, 2000. The fees were to be deposited into a new fund called the New Facilities Development Fee Fund (250).

The City Council specifically directed staff in Section 12 of Ordinance O-02-00, to create four new funds:

- (1) The Civic Center Development Impact Fee Fund
- (2) The Fire Protection Development Impact Fee Fund
- (3) The Library Development Impact Fee Fund
- (4) The Law Enforcement Development Impact Fee Fund

Since all of the accounting from the adoption of these fees was in one fund, all analysis of the individual DIFs had to be done by staff as a separate spreadsheet process. A copy of the staff analysis is found in Appendix E.

The following sections separate the four fees as if they were four funds. The final results were balanced to the general ledger.

CIVIC CENTER DEVELOPMENT IMPACT FEE

OVERVIEW

DIFs were established for the Civic Center by Ordinance O-02-00 adopted on March 21, 2000 and effective on July 1, 2000. The fees were based on the Topping Jacquess Capital Infrastructure Study which was completed in November 1997 and reviewed by several groups including the Planning Commission and the Capital Projects Team before being submitted to the City Council for adoption.

The enabling Ordinance stated that "...The development of property in the City will create a need for expansion and remodeling of the civic center to accommodate the additional City staff to maintain the current level of service..." (Ord. O-02-00, Sec. 7A)

Although the enabling Ordinance does not list civic center projects, the Study indicated that there was \$1,264,151 in costs that could be allocated to and collected from new development. This amount is specifically mentioned to be in addition to the existing City taxpayers financing existing deficiencies.

Fourteen years after the adoption of these fees, the City has collected, with interest, \$109,655 or less than 9% of its goal.

SCHEDULE OF CIVIC CENTER DIF RATE HISTORY

The following schedule shows the history of this fee which has remained unchanged since its adoption:

	O-02-00 ³	Current
Residential (per Unit)		
Single Family Housing	\$77	\$77
Multiple Family Housing	\$67	\$67
Mobile Homes		
Second Residential Units		
Nonresidential		
Commercial: C1 & C2	\$65	\$65
Office Business Park	\$71	\$71

³ Fee is based on development unit which is a dwelling unit for residential and 1,000 square feet of building area for commercial and industrial.

Industrial: M1 & M2	\$26	\$26
Industrial Park	\$39	\$39

CIVIC CENTER DIF EXPENDITURES

The schedule on the next page has two parts. The top part shows the projects associated with this fund. The projects were accounted for in the General Fund and in the Capital Projects Fund (450). The New Facilities Development Fee Fund (250) then reimbursed the respective funds. The total cost of Civic Center DIF projects as of June 30, 2014 was \$93,932.

The bottom part of the schedule on the next page shows the fiscal year revenues that financed the projects. This bottom part is necessary to assure compliance with the fiscal year expenditure requirements of AB-1600.

PROBLEM FROM COMBINING NEW FACILITY DIFs IN SINGLE FUND - PART ONE

The following schedules were designed for showing compliance with AB1600 and need to be further analyzed to see another problem: the City did not have enough revenues to pay for the projects in this area until fiscal year 2013-14. As shown on the following schedule, the last year of civic center expenditures was fiscal year 2008-09 and the total expenditures at that time was \$93,932. To be continued....

SUMMARY OF REVENUES AND EXPENDITURES

The schedule on the next page is divided vertically into two major sections: Revenues and Expenditures. The Revenue section shows the DIF collections by fiscal year and the interest assigned to the fee balance.

The Expenditure section shows the project costs assigned to that year's revenues. These costs are the "row" totals from the bottom section of the prior schedule. The goal of the expenditure section is to show when a year's DIFs were spent in order to show compliance with AB1600.

PROBLEM FROM COMBINING NEW FACILITY DIFs IN SINGLE FUND - PART TWO

As noted in "Part One," the total expenditures of \$93,932 were made by the end of the 2008-09 fiscal year. However, the collection of Civic Center DIFs at the end of that fiscal year was only \$79,540 or \$14,392 less than recorded expenditures.

Since four DIFs were accounted for in this single fund, it was very easy for other DIF revenues to cover the shortfall for the Civic Center. We will revisit the consequences in our discussion of the Library DIFs below.

FINDINGS

Findings are presented in each DIF section and summarized in the front of this Report.

- 1) Civic Center DIFs have never been accounted for in their own fund as the City Council required in Ordinance O-02-00. Unless the City Council wishes to amend their directions to staff, a separate Civic Center DIF Fund should be created for future accounting.
- 2) Given that less than 9% of the original revenue goal has been collected in fourteen years, the City Council should review future Civic Center DIF projects to assure that the revenues will be adequate for future project costs.
- 3) Civic Center DIFs have been spent within the five-year period required by law.

CITY OF COLTON
SUMMARY OF DEVELOPMENT IMPACT FEE REVENUES & EXPENDITURES
FOR THE
CIVIC CENTER DEVELOPMENT IMPACT FUND
FROM INCEPTION IN 2000-01 THROUGH 2013-14

FISCAL YEAR	PRIOR BALANCE	REVENUES (250-6736: 3146)				EXPENDITURES BY YEAR OF FUNDING			AVAILABLE BALANCE
		DIF	NON-DIF REV	INT./TSFR IN	TOTAL	OUTLAY	TSFR OUT	TOTAL	
2000-01	\$0.00	\$2,330.00		\$33.73	\$2,363.73	\$2,363.73		\$2,363.73	\$0.00
2001-02	\$0.00	\$16,413.00		\$217.44	\$16,630.44	\$16,630.44		\$16,630.44	\$0.00
2002-03	\$0.00	\$3,296.54		\$298.65	\$3,595.19	\$3,595.19		\$3,595.19	\$0.00
2003-04	\$0.00	\$21,097.56		\$239.92	\$21,337.48	\$21,337.48		\$21,337.48	\$0.00
2004-05	\$0.00	\$3,861.00		\$573.46	\$4,434.46	\$4,434.46		\$4,434.46	\$0.00
2005-06	\$0.00	\$15,343.32		\$600.14	\$15,943.46	\$15,943.46		\$15,943.46	\$0.00
2006-07	\$0.00	\$7,225.00		\$1,564.41	\$8,789.41	\$8,789.41		\$8,789.41	\$0.00
2007-08	\$0.00	\$3,909.00		\$269.85	\$4,178.85	\$4,178.85		\$4,178.85	\$0.00
2008-09	\$0.00	\$2,058.96		\$207.79	\$2,266.75	\$2,266.75		\$2,266.75	\$0.00
2009-10	\$0.00	\$1,534.00		\$20.17	\$1,554.17	\$1,554.17		\$1,554.17	\$0.00
2010-11	\$0.00	\$760.00		\$41.37	\$801.37	\$801.37		\$801.37	\$0.00
2011-12	\$0.00	\$864.00		\$27.18	\$891.18	\$891.18		\$891.18	\$0.00
2012-13	\$0.00	\$5,687.23		\$39.12	\$5,726.35	\$5,726.35		\$5,726.35	\$0.00
2013-14	\$0.00	\$21,063.85		\$78.26	\$21,142.11	\$5,419.00		\$5,419.00	\$15,723.11

SUMMARY	\$0.00	\$105,443.46	\$0.00	\$4,211.49	\$109,654.95	\$93,931.84	\$0.00	\$93,931.84	\$15,723.11
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FIRE PROTECTION DEVELOPMENT IMPACT FEE

OVERVIEW

DIFs were established for Fire Protection by Ordinance O-02-00 adopted on March 21, 2000 and effective on July 1, 2000. The fees were based on the Topping Jacquess Capital Infrastructure Study which was completed in November 1997 and reviewed by several groups including the Planning Commission and the Capital Projects Team before being submitted to the City Council for adoption.

The enabling Ordinance stated that "...The development of property in the City will create a need for an additional fire station to meet the City's fire protection needs at build out and maintain the current level of service..." (Ord. O-02-00, Sec. 8A)

The Study indicated that a new fire station would cost \$1,750,180.

Fourteen years after the adoption of these fees, the City has collected, with interest, \$151,985 or less than 9% of its goal.

SCHEDULE OF FIRE PROTECTION DIF RATE HISTORY

The following schedule shows the history of this fee which has remained unchanged since its adoption:

	O-02-00 ⁴	Current
Residential (per Unit)		
Single Family Housing	\$106	\$106
Multiple Family Housing	\$93	\$93
Mobile Homes		
Second Residential Units		
Nonresidential		
Commercial: C1 & C2	\$90	\$90
Office Business Park	\$98	\$98
Industrial: M1 & M2	\$36	\$36
Industrial Park	\$54	\$54

⁴ Fee is based on development unit which is a dwelling unit for residential and 1,000 square feet of building area for commercial and industrial.

FIRE PROTECTION DIF EXPENDITURES

The schedule on the next page has two parts. The top part shows the projects associated with this fund. The projects were accounted for in the General Fund and in the Capital Projects Fund (450). The New Facilities Development Fee Fund (250) then reimbursed the respective funds. The total cost of Fire Protection DIF projects as of June 30, 2014 was \$115,362.

The bottom part shows the fiscal year revenues that financed the projects. This bottom part is necessary to assure compliance with the fiscal year expenditure requirements of AB-1600.

SINGLE FUND PROBLEM - PART ONE

The City did not have enough revenues to pay for the projects in this area until fiscal year 2012-13. As shown on the following schedule, the last year of fire protection expenditures was fiscal year 2008-09 and the total revenues at that time was only \$110,206. To be continued....

CITY OF COLTON
SUMMARY OF DEVELOPMENT IMPACT FEE ANNUAL EXPENDITURES
FOR
FIRE PROTECTION DEVELOPMENT IMPACT FUND
FROM INCEPTION IN 2001-02 THROUGH FY 2013-14

EXPENDITURES	2000-01	2001-02	2002-03	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	TOTAL
															\$0.00
General Fund Expenditures							\$42,535.97								\$42,535.97
															\$0.00
Fund 450 Expenditure						\$14,336.23		\$10,965.00	\$47,524.87						\$72,826.10
															\$0.00
															\$0.00
															\$0.00
															\$0.00
															\$0.00
															\$0.00
															\$0.00
															\$0.00
															\$0.00
															\$0.00
															\$0.00
TOTAL	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$14,336.23	\$42,535.97	\$10,965.00	\$47,524.87	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$115,362.07

APPLIED TO FISCAL YEAR															
FY 2000-01						\$2,730.96									\$2,730.96
FY 2001-02						\$11,605.27	\$11,835.20								\$23,440.47
FY 2002-03							\$5,149.19								\$5,149.19
FY 2003-04							\$25,551.58	\$3,930.79							\$29,482.37
FY 2004-05								\$5,999.91							\$5,999.91
FY 2005-06								\$1,034.30	\$21,098.32						\$22,132.62
FY 2006-07									\$12,258.95						\$12,258.95
FY 2007-08									\$5,872.19						\$5,872.19
FY 2008-09									\$3,139.34						\$3,139.34
FY 2009-10									\$2,247.15						\$2,247.15
FY 2010-11									\$1,104.00						\$1,104.00
FY 2011-12									\$1,240.84						\$1,240.84
FY 2012-13									\$564.08						\$564.08
FY 2013-14															\$0.00
APPLIED TOTAL	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$14,336.23	\$42,535.97	\$10,965.00	\$47,524.87	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$115,362.07

SUMMARY OF REVENUES AND EXPENDITURES

The schedule on the next page is divided vertically into two major sections: Revenues and Expenditures. The Revenue section shows the DIF collections by fiscal year and the interest assigned to the fee balance.

The Expenditure section shows the project costs assigned to that year's revenues. These costs are the "row" totals from the bottom section of the prior schedule. The goal of the expenditure section is to show when a year's DIFs were spent in order to show compliance with AB1600.

SINGLE FUND PROBLEM - PART TWO

As noted in "Part One," the total expenditures of \$115,362 were made by the end of the 2008-09 fiscal year. However, the collection of Fire Protection DIFs at the end of that fiscal year was only \$110,206 or \$5,156 less than recorded expenditures.

Since four DIFs were accounted for in this single fund, it was very easy for other DIF revenues to cover the shortfall for fire protection. We will revisit the consequences in our discussion of the Library DIFs below.

FINDINGS

Findings are presented in each DIF section and summarized in the front of this Report.

- 1) Fire Protection DIFs have never been accounted for in their own fund as the City Council required in Ordinance O-02-00. Unless the City Council wishes to amend their directions to staff, a separate Fire Protection DIF Fund should be created for future accounting.
- 2) Given that less than 9% of the original revenue goal has been collected in fourteen years, the City Council should question the goal of a new fire station for this DIF.
- 3) Fire Protection DIFs have been spent within the five-year period required by law.

CITY OF COLTON
SUMMARY OF DEVELOPMENT IMPACT FEE REVENUES & EXPENDITURES
FOR THE
FIRE PROTECTION DEVELOPMENT IMPACT FUND
FROM INCEPTION IN 2000-01 THROUGH 2013-14

FISCAL YEAR	PRIOR BALANCE	REVENUES (250-6737: 3147)				EXPENDITURES BY YEAR OF FUNDING			AVAILABLE BALANCE
		DIF	NON-DIF REV	INT./TSFR IN	TOTAL	OUTLAY	TSFR OUT	TOTAL	
2000-01	\$0.00	\$2,692.00		\$38.96	\$2,730.96	\$2,730.96		\$2,730.96	\$0.00
2001-02	\$0.00	\$23,134.00		\$306.47	\$23,440.47	\$23,440.47		\$23,440.47	\$0.00
2002-03	\$0.00	\$4,721.44		\$427.75	\$5,149.19	\$5,149.19		\$5,149.19	\$0.00
2003-04	\$0.00	\$29,150.86		\$331.51	\$29,482.37	\$29,482.37		\$29,482.37	\$0.00
2004-05	\$0.00	\$5,224.00		\$775.91	\$5,999.91	\$5,999.91		\$5,999.91	\$0.00
2005-06	\$0.00	\$21,299.52		\$833.10	\$22,132.62	\$22,132.62		\$22,132.62	\$0.00
2006-07	\$0.00	\$10,077.00		\$2,181.95	\$12,258.95	\$12,258.95		\$12,258.95	\$0.00
2007-08	\$0.00	\$5,493.00		\$379.19	\$5,872.19	\$5,872.19		\$5,872.19	\$0.00
2008-09	\$0.00	\$2,851.56		\$287.78	\$3,139.34	\$3,139.34		\$3,139.34	\$0.00
2009-10	\$0.00	\$2,218.00		\$29.15	\$2,247.15	\$2,247.15		\$2,247.15	\$0.00
2010-11	\$0.00	\$1,047.00		\$57.00	\$1,104.00	\$1,104.00		\$1,104.00	\$0.00
2011-12	\$0.00	\$1,203.00		\$37.84	\$1,240.84	\$1,240.84		\$1,240.84	\$0.00
2012-13	\$0.00	\$7,866.62		\$54.12	\$7,920.74	\$564.08		\$564.08	\$7,356.66
2013-14	\$7,356.66	\$29,157.72		\$108.32	\$29,266.04	\$0.00		\$0.00	\$36,622.70
SUMMARY	\$0.00	\$146,135.72	\$0.00	\$5,849.05	\$151,984.77	\$115,362.07	\$0.00	\$115,362.07	\$36,622.70

LIBRARY DEVELOPMENT IMPACT FEE

OVERVIEW

DIFs were established for the Library by Ordinance O-02-00 adopted on March 21, 2000 and effective on July 1, 2000. The fees were based on the Topping Jacquess Capital Infrastructure Study which was completed in November 1997 and reviewed by several groups including the Planning Commission and the Capital Projects Team before being submitted to the City Council for adoption.

The enabling Ordinance stated that "...The development of residential, commercial and industrial property in the City will create a need for significant library building and land area expansion to meet future user demands and additional library books to maintain the current level of service..." (Ord. O-02-00, Sec. 9A)

The Study indicated that the library needs would cost \$2,278,064.

Fourteen years after the adoption of these fees, the City has collected, with interest, \$192,097 or less than 9% of its goal.

SCHEDULE OF LIBRARY DIF RATE HISTORY

The following schedule shows the history of this fee which has remained unchanged since its adoption:

	O-02-00 ⁵	Current
Residential (per Unit)		
Single Family Housing	\$215	\$215
Multiple Family Housing	\$191	\$191
Mobile Homes		
Second Residential Units		
Nonresidential		
Commercial: C1 & C2	\$59	\$59
Office Business Park	\$43	\$43
Industrial: M1 & M2	\$23	\$23
Industrial Park	\$35	\$35

⁵ Fee is based on development unit which is a dwelling unit for residential and 1,000 square feet of building area for commercial and industrial.

LIBRARY DIF EXPENDITURES

The schedule on the next page has two parts. The top part shows the projects associated with this fund. The projects were accounted for in the Capital Projects Fund (450). The New Facilities Development Fee Fund (250) then reimbursed the Capital Projects Fund. The total cost of Library DIF projects as of June 30, 2014 was \$40,183.

The bottom part shows the fiscal year revenues that financed the projects. This bottom part is necessary to assure compliance with the fiscal year expenditure requirements of AB-1600.

[illegible]

SUMMARY OF REVENUES AND EXPENDITURES

The schedule on the next page is divided vertically into two major sections: Revenues and Expenditures. The Revenue section shows the DIF collections by fiscal year and the interest assigned to the fee balance.

The Expenditure section shows the project costs assigned to that year's revenues. These costs are the "row" totals from the bottom section of the prior schedule. The goal of the expenditure section is to show when a year's DIFs were spent in order to show compliance with AB1600.

CITY OF COLTON
SUMMARY OF DEVELOPMENT IMPACT FEE REVENUES & EXPENDITURES
FOR THE
LIBRARY DEVELOPMENT IMPACT FUND
FROM INCEPTION IN 2000-01 THROUGH 2013-14

FISCAL YEAR	PRIOR BALANCE	REVENUES (250-6738: 3148)				EXPENDITURES BY YEAR OF FUNDING			AVAILABLE BALANCE
		DIF	NON-DIF REV	INT./TSFR IN	TOTAL	OUTLAY	TSFR OUT	TOTAL	
2000-01	\$0.00	\$3,643.50		\$52.73	\$3,696.23	\$3,696.23		\$3,696.23	\$0.00
2001-02	\$0.00	\$43,189.00		\$572.15	\$43,761.15	\$36,487.07		\$36,487.07	\$7,274.08
2002-03	\$7,274.08	\$3,488.94		\$316.09	\$3,805.03	\$0.00		\$0.00	\$11,079.11
2003-04	\$11,079.11	\$33,419.68		\$380.05	\$33,799.73	\$0.00		\$0.00	\$44,878.84
2004-05	\$44,878.84	\$7,462.00		\$1,108.31	\$8,570.31	\$0.00		\$0.00	\$53,449.15
2005-06	\$53,449.15	\$27,230.16		\$1,065.07	\$28,295.23	\$0.00		\$0.00	\$81,744.38
2006-07	\$81,744.38	\$14,622.00		\$3,166.06	\$17,788.06	\$0.00		\$0.00	\$99,532.44
2007-08	\$99,532.44	\$8,637.00		\$596.23	\$9,233.23	\$0.00		\$0.00	\$108,765.67
2008-09	\$108,765.67	\$2,364.08		\$238.59	\$2,602.67	\$0.00		\$0.00	\$111,368.34
2009-10	\$111,368.34	\$4,343.00		\$57.08	\$4,400.08	\$0.00		\$0.00	\$115,768.42
2010-11	\$115,768.42	\$2,126.00		\$115.74	\$2,241.74	\$0.00		\$0.00	\$118,010.16
2011-12	\$118,010.16	\$2,448.00		\$77.01	\$2,525.01	\$0.00		\$0.00	\$120,535.17
2012-13	\$120,535.17	\$6,941.75		\$47.76	\$6,989.51	\$0.00		\$0.00	\$127,524.68
2013-14	\$127,524.68	\$24,299.18		\$90.27	\$24,389.45	\$0.00		\$0.00	\$151,914.13
SUMMARY	\$0.00	\$184,214.29	\$0.00	\$7,883.14	\$192,097.43	\$40,183.30	\$0.00	\$40,183.30	\$151,914.13

SINGLE FUND PROBLEM - CONSEQUENCE

The Library DIFs were the highest of the four DIFs accounted for in the New Facilities Development Fund and used for the purpose of financing the projects of the other three DIFs:

Development Fee	Loaned
Civic Center	\$14,392
Fire Protection	\$5,156
Law Enforcement	\$44,251
TOTAL	\$63,799

No recognition was made of these intra-DIF loans and, as a consequence of not having a balance available for the Library, the City has a multi-year failure to expend Library DIFs. The total amount of this shortfall is \$111,368 which is the sum of the unspent balances from fiscal year 2001-02 through fiscal year 2008-09. The amount of \$4,400 from fiscal year 2009-10 needs to be spent in the current fiscal year.

FINDINGS

Findings are presented in each DIF section and summarized in the front of this Report.

- 1) Library DIFs have never been accounted for in their own fund as the City Council required in Ordinance O-02-00. Unless the City Council wishes to amend their directions to staff, a separate Library DIF Fund should be created for future accounting.
- 2) Given that less than 9% of the original revenue goal has been collected in fourteen years and only about 21% of the collections actually spent for Library purposes, the City Council should question the goals for establishing a Library DIF.
- 3) Some Library DIFs have not been spent within the five-year period required by law. The City Council needs to adopt a finding that the monies are still needed or begin the process of refunding it.

LAW ENFORCEMENT DEVELOPMENT IMPACT FEE

OVERVIEW

DIFs were established for Law Enforcement by Ordinance O-02-00 adopted on March 21, 2000 and effective on July 1, 2000. The fees were based on the Topping Jacquess Capital Infrastructure Study which was completed in November 1997 and reviewed by several groups including the Planning Commission and the Capital Projects Team before being submitted to the City Council for adoption.

The enabling Ordinance stated that "...The development of property in the City will create a need for expansion of the current police station to accommodate 49 additional employees and purchase of 26 new vehicles to maintain the current level of service..." (Ord. O-02-00, Sec. 10A)

The Study indicated that the police station would cost \$2,452,616.

Fourteen years after the adoption of these fees, the City has collected, with interest, \$217,772 or less than 9% of its goal.

SCHEDULE OF LAW ENFORCEMENT DIF RATE HISTORY

The following schedule shows the history of this fee:

	O-02-00 ⁶	Current
Residential (per Unit)		
Single Family Housing	\$149	\$149
Multiple Family Housing	\$131	\$131
Mobile Homes		
Second Residential Units		
Nonresidential		
Commercial: C1 & C2	\$126	\$126
Office Business Park	\$138	\$138
Industrial: M1 & M2	\$50	\$50
Industrial Park	\$76	\$76

⁶ Fee is based on development unit which is a dwelling unit for residential and 1,000 square feet of building area for commercial and industrial.

LAW ENFORCEMENT DIF EXPENDITURES

The schedule on the next page has two parts. The top part shows the projects associated with this fund. The projects were accounted for in the General Fund and in the Capital Projects Fund (450). The New Facilities Development Fee Fund (250) then reimbursed the respective funds. The total cost of Law Enforcement DIF projects as of June 30, 2014 was \$203,360.

The bottom part shows the fiscal year revenues that financed the projects. This bottom part is necessary to assure compliance with the fiscal year expenditure requirements of AB-1600.

SINGLE FUND PROBLEM - PART THREE

The City did not have enough revenues to pay for the projects in this area until fiscal year 2013-14. As shown on the following schedule, the last year of law enforcement expenditures was fiscal year 2008-09 and the total expenditures at that time was \$203,360. To be continued....

CITY OF COLTON
SUMMARY OF DEVELOPMENT IMPACT FEE ANNUAL EXPENDITURES
FOR
LAW ENFORCEMENT DEVELOPMENT IMPACT FUND
FROM INCEPTION IN 2001-02 THROUGH FY 2013-14

EXPENDITURES	2000-01	2001-02	2002-03	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	TOTAL
															\$0.00
General Fund Expenditures					\$96,617.55		\$47,691.53								\$144,309.08
															\$0.00
Fund 450 Expenditure								\$11,412.41	\$47,638.28						\$59,050.69
															\$0.00
															\$0.00
															\$0.00
															\$0.00
															\$0.00
															\$0.00
															\$0.00
															\$0.00
															\$0.00
															\$0.00
															\$0.00
TOTAL	\$0.00	\$0.00	\$0.00	\$0.00	\$96,617.55	\$0.00	\$47,691.53	\$11,412.41	\$47,638.28	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$203,359.77

APPLIED TO FISCAL YEAR															
FY 2000-01					\$7,819.97										\$7,819.97
FY 2001-02					\$32,904.20										\$32,904.20
FY 2002-03					\$8,057.33										\$8,057.33
FY 2003-04					\$41,276.22										\$41,276.22
FY 2004-05					\$6,559.83		\$1,833.61								\$8,393.44
FY 2005-06							\$30,909.73								\$30,909.73
FY 2006-07							\$14,948.19	\$2,199.98							\$17,148.17
FY 2007-08								\$8,232.62							\$8,232.62
FY 2008-09								\$979.81	\$3,387.55						\$4,367.36
FY 2009-10									\$3,158.98						\$3,158.98
FY 2010-11									\$1,552.14						\$1,552.14
FY 2011-12									\$1,744.19						\$1,744.19
FY 2012-13									\$11,025.81						\$11,025.81
FY 2013-14									\$26,769.61						\$26,769.61
APPLIED TOTAL	\$0.00	\$0.00	\$0.00	\$0.00	\$96,617.55	\$0.00	\$47,691.53	\$11,412.41	\$47,638.28	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$203,359.77

SUMMARY OF REVENUES AND EXPENDITURES

The schedule on the next page is divided vertically into two major sections: Revenues and Expenditures. The Revenue section shows the DIF collections by fiscal year and the interest assigned to the fee balance.

The Expenditure section shows the project costs assigned to that year's revenues. These costs are the "row" totals from the bottom section of the prior schedule. The goal of the expenditure section is to show when a year's DIFs were spent in order to show compliance with AB1600.

SINGLE FUND PROBLEM - PART THREE (CONTINUED)

As noted in "Consequence (page 39)," the total expenditures of \$203,360 were made by the end of the 2008-09 fiscal year. However, the collection of Law Enforcement DIFs at the end of that fiscal year was only \$159,109 or \$44,251 less than recorded expenditures.

Since the four DIFs were accounted for in this single fund, it was very easy for other DIF revenues to cover the shortfall for fire protection. We discussed the consequences above in our discussion of the Library DIFs (page 39).

FINDINGS

Findings are presented in each DIF section and summarized in the front of this Report.

- 1) Law Enforcement DIFs have never been accounted for in their own fund as the City Council required in Ordinance O-02-00. Unless the City Council wishes to amend their directions to staff, a separate Law Enforcement DIF Fund should be created for future accounting.
- 2) Given that less than 9% of the original revenue goal has been collected in fourteen years, the City Council should question the goal of a new police station for this DIF.
- 3) Law Enforcement DIFs have been spent within the five-year period required by law.

CITY OF COLTON
SUMMARY OF DEVELOPMENT IMPACT FEE REVENUES & EXPENDITURES
FOR THE
LAW ENFORCEMENT DEVELOPMENT IMPACT FUND
FROM INCEPTION IN 2000-01 THROUGH 2013-14

FISCAL YEAR	PRIOR BALANCE	REVENUES (250-6739: 3149)				EXPENDITURES BY YEAR OF FUNDING			AVAILABLE BALANCE
		DIF	NON-DIF REV	INT./TSFR IN	TOTAL	OUTLAY	TSFR OUT	TOTAL	
2000-01	\$0.00	\$7,708.40		\$111.57	\$7,819.97	\$7,819.97		\$7,819.97	\$0.00
2001-02	\$0.00	\$32,474.00		\$430.20	\$32,904.20	\$32,904.20		\$32,904.20	\$0.00
2002-03	\$0.00	\$7,388.00		\$669.33	\$8,057.33	\$8,057.33		\$8,057.33	\$0.00
2003-04	\$0.00	\$40,812.10		\$464.12	\$41,276.22	\$41,276.22		\$41,276.22	\$0.00
2004-05	\$0.00	\$7,308.00		\$1,085.44	\$8,393.44	\$8,393.44		\$8,393.44	\$0.00
2005-06	\$0.00	\$29,746.25		\$1,163.48	\$30,909.73	\$30,909.73		\$30,909.73	\$0.00
2006-07	\$0.00	\$14,096.00		\$3,052.17	\$17,148.17	\$17,148.17		\$17,148.17	\$0.00
2007-08	\$0.00	\$7,701.00		\$531.62	\$8,232.62	\$8,232.62		\$8,232.62	\$0.00
2008-09	\$0.00	\$3,967.00		\$400.36	\$4,367.36	\$4,367.36		\$4,367.36	\$0.00
2009-10	\$0.00	\$3,118.00		\$40.98	\$3,158.98	\$3,158.98		\$3,158.98	\$0.00
2010-11	\$0.00	\$1,472.00		\$80.14	\$1,552.14	\$1,552.14		\$1,552.14	\$0.00
2011-12	\$0.00	\$1,691.00		\$53.19	\$1,744.19	\$1,744.19		\$1,744.19	\$0.00
2012-13	\$0.00	\$10,950.47		\$75.34	\$11,025.81	\$11,025.81		\$11,025.81	\$0.00
2013-14	\$0.00	\$41,029.79		\$152.43	\$41,182.22	\$26,769.61		\$26,769.61	\$14,412.61

SUMMARY	\$0.00	\$209,462.01	\$0.00	\$8,310.37	\$217,772.38	\$203,359.77	\$0.00	\$203,359.77	\$14,412.61
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APPENDIX A

MITIGATION FEE ACT

GOVERNMENT CODE

SECTION 66000-66008

66000. As used in this chapter, the following terms have the following meanings:

(a) "Development project" means any project undertaken for the purpose of development. "Development project" includes a project involving the issuance of a permit for construction or reconstruction, but not a permit to operate.

(b) "Fee" means a monetary exaction other than a tax or special assessment, whether established for a broad class of projects by legislation of general applicability or imposed on a specific project on an ad hoc basis, that is charged by a local agency to the applicant in connection with approval of a development project for the purpose of defraying all or a portion of the cost of public facilities related to the development project, but does not include fees specified in Section 66477, fees for processing applications for governmental regulatory actions or approvals, fees collected under development agreements adopted pursuant to Article 2.5 (commencing with Section 65864) of Chapter 4, or fees collected pursuant to agreements with redevelopment agencies that provide for the redevelopment of property in furtherance or for the benefit of a redevelopment project for which a redevelopment plan has been adopted pursuant to the Community Redevelopment Law (Part 1 (commencing with Section 33000) of Division 24 of the Health and Safety Code).

(c) "Local agency" means a county, city, whether general law or chartered, city and county, school district, special district, authority, agency, any other municipal public corporation or district, or other political subdivision of the state.

(d) "Public facilities" includes public improvements, public services, and community amenities.

66000.5. (a) This chapter, Chapter 6 (commencing with Section 66010), Chapter 7 (commencing with Section 66012), Chapter 8 (commencing with Section 66016), and Chapter 9 (commencing with Section 66020) shall be known and may be cited as the Mitigation Fee Act.

(b) Any action brought in the superior court relating to the Mitigation Fee Act may be subject to a mediation proceeding conducted pursuant to Chapter 9.3 (commencing with Section 66030).

66001. (a) In any action establishing, increasing, or imposing a fee as a condition of approval of a development project by a local agency, the local agency shall do all of the following:

(1) Identify the purpose of the fee.

(2) Identify the use to which the fee is to be put. If the use is financing public facilities, the facilities shall be identified. That identification may, but need not, be made by reference to a capital improvement plan as specified in Section 65403 or 66002, may be made

in applicable general or specific plan requirements, or may be made in other public documents that identify the public facilities for which the fee is charged.

(3) Determine how there is a reasonable relationship between the fee's use and the type of development project on which the fee is imposed.

(4) Determine how there is a reasonable relationship between the need for the public facility and the type of development project on which the fee is imposed.

(b) In any action imposing a fee as a condition of approval of a development project by a local agency, the local agency shall determine how there is a reasonable relationship between the amount of the fee and the cost of the public facility or portion of the public facility attributable to the development on which the fee is imposed.

(c) Upon receipt of a fee subject to this section, the local agency shall deposit, invest, account for, and expend the fees pursuant to Section 66006.

(d) (1) For the fifth fiscal year following the first deposit into the account or fund, and every five years thereafter, the local agency shall make all of the following findings with respect to that portion of the account or fund remaining unexpended, whether committed or uncommitted:

(A) Identify the purpose to which the fee is to be put.

(B) Demonstrate a reasonable relationship between the fee and the purpose for which it is charged.

(C) Identify all sources and amounts of funding anticipated to complete financing in incomplete improvements identified in paragraph (2) of subdivision (a).

(D) Designate the approximate dates on which the funding referred to in subparagraph (C) is expected to be deposited into the appropriate account or fund.

(2) When findings are required by this subdivision, they shall be made in connection with the public information required by subdivision (b) of Section 66006. The findings required by this subdivision need only be made for moneys in possession of the local agency, and need not be made with respect to letters of credit, bonds, or other instruments taken to secure payment of the fee at a future date. If the findings are not made as required by this subdivision, the local agency shall refund the moneys in the account or fund as provided in subdivision (e).

(e) Except as provided in subdivision (f), when sufficient funds have been collected, as determined pursuant to subparagraph (F) of paragraph (1) of subdivision (b) of Section 66006, to complete financing on incomplete public improvements identified in paragraph (2) of subdivision (a), and the public improvements remain incomplete, the local agency shall identify, within 180 days of the determination that sufficient funds have been collected, an approximate date by which the construction of the public improvement will be commenced, or shall refund to the then current record owner or owners of the lots or units, as identified on the last equalized assessment roll, of the development project or projects on a prorated basis, the unexpended portion of the fee, and any interest accrued thereon. By means consistent with the intent of this section, a local agency may refund the unexpended revenues by direct payment, by providing a temporary suspension of fees, or by any other reasonable means. The determination by the governing body of the local agency of

the means by which those revenues are to be refunded is a legislative act.

(f) If the administrative costs of refunding unexpended revenues pursuant to subdivision (e) exceed the amount to be refunded, the local agency, after a public hearing, notice of which has been published pursuant to Section 6061 and posted in three prominent places within the area of the development project, may determine that the revenues shall be allocated for some other purpose for which fees are collected subject to this chapter and which serves the project on which the fee was originally imposed.

(g) A fee shall not include the costs attributable to existing deficiencies in public facilities, but may include the costs attributable to the increased demand for public facilities reasonably related to the development project in order to (1) refurbish existing facilities to maintain the existing level of service or (2) achieve an adopted level of service that is consistent with the general plan.

66002. (a) Any local agency which levies a fee subject to Section 66001 may adopt a capital improvement plan, which shall indicate the approximate location, size, time of availability, and estimates of cost for all facilities or improvements to be financed with the fees.

(b) The capital improvement plan shall be adopted by, and shall be annually updated by, a resolution of the governing body of the local agency adopted at a noticed public hearing. Notice of the hearing shall be given pursuant to Section 65090. In addition, mailed notice shall be given to any city or county which may be significantly affected by the capital improvement plan. This notice shall be given no later than the date the local agency notices the public hearing pursuant to Section 65090. The information in the notice shall be not less than the information contained in the notice of public hearing and shall be given by first-class mail or personal delivery.

(c) "Facility" or "improvement," as used in this section, means any of the following:

(1) Public buildings, including schools and related facilities; provided that school facilities shall not be included if Senate Bill 97 of the 1987-88 Regular Session is enacted and becomes effective on or before January 1, 1988.

(2) Facilities for the storage, treatment, and distribution of nonagricultural water.

(3) Facilities for the collection, treatment, reclamation, and disposal of sewage.

(4) Facilities for the collection and disposal of storm waters and for flood control purposes.

(5) Facilities for the generation of electricity and the distribution of gas and electricity.

(6) Transportation and transit facilities, including but not limited to streets and supporting improvements, roads, overpasses, bridges, harbors, ports, airports, and related facilities.

(7) Parks and recreation facilities.

(8) Any other capital project identified in the capital facilities plan adopted pursuant to Section 66002.

66003. Sections 66001 and 66002 do not apply to a fee imposed

pursuant to a reimbursement agreement by and between a local agency and a property owner or developer for that portion of the cost of a public facility paid by the property owner or developer which exceeds the need for the public facility attributable to and reasonably related to the development. This chapter shall become operative on January 1, 1989.

66004. The establishment or increase of any fee pursuant to this chapter shall be subject to the requirements of Section 66018.

66005. (a) When a local agency imposes any fee or exaction as a condition of approval of a proposed development, as defined by Section 65927, or development project, those fees or exactions shall not exceed the estimated reasonable cost of providing the service or facility for which the fee or exaction is imposed.

(b) This section does not apply to fees or monetary exactions expressly authorized to be imposed under Sections 66475.1 and 66477.

(c) It is the intent of the Legislature in adding this section to codify existing constitutional and decisional law with respect to the imposition of development fees and monetary exactions on developments by local agencies. This section is declaratory of existing law and shall not be construed or interpreted as creating new law or as modifying or changing existing law.

66005.1. (a) When a local agency imposes a fee on a housing development pursuant to Section 66001 for the purpose of mitigating vehicular traffic impacts, if that housing development satisfies all of the following characteristics, the fee, or the portion thereof relating to vehicular traffic impacts, shall be set at a rate that reflects a lower rate of automobile trip generation associated with such housing developments in comparison with housing developments without these characteristics, unless the local agency adopts findings after a public hearing establishing that the housing development, even with these characteristics, would not generate fewer automobile trips than a housing development without those characteristics:

(1) The housing development is located within one-half mile of a transit station and there is direct access between the housing development and the transit station along a barrier-free walkable pathway not exceeding one-half mile in length.

(2) Convenience retail uses, including a store that sells food, are located within one-half mile of the housing development.

(3) The housing development provides either the minimum number of parking spaces required by the local ordinance, or no more than one onsite parking space for zero to two bedroom units, and two onsite parking spaces for three or more bedroom units, whichever is less.

(b) If a housing development does not satisfy the characteristics in subdivision (a), the local agency may charge a fee that is proportional to the estimated rate of automobile trip generation associated with the housing development.

(c) As used in this section, "housing development" means a

development project with common ownership and financing consisting of residential use or mixed use where not less than 50 percent of the floorspace is for residential use.

(d) For the purposes of this section, "transit station" has the meaning set forth in paragraph (4) of subdivision (b) of Section 65460.1. "Transit station" includes planned transit stations otherwise meeting this definition whose construction is programmed to be completed prior to the scheduled completion and occupancy of the housing development.

(e) This section shall become operative on January 1, 2011.

66006. (a) If a local agency requires the payment of a fee specified in subdivision (c) in connection with the approval of a development project, the local agency receiving the fee shall deposit it with the other fees for the improvement in a separate capital facilities account or fund in a manner to avoid any commingling of the fees with other revenues and funds of the local agency, except for temporary investments, and expend those fees solely for the purpose for which the fee was collected. Any interest income earned by moneys in the capital facilities account or fund shall also be deposited in that account or fund and shall be expended only for the purpose for which the fee was originally collected.

(b) (1) For each separate account or fund established pursuant to subdivision (a), the local agency shall, within 180 days after the last day of each fiscal year, make available to the public the following information for the fiscal year:

(A) A brief description of the type of fee in the account or fund.

(B) The amount of the fee.

(C) The beginning and ending balance of the account or fund.

(D) The amount of the fees collected and the interest earned.

(E) An identification of each public improvement on which fees were expended and the amount of the expenditures on each improvement, including the total percentage of the cost of the public improvement that was funded with fees.

(F) An identification of an approximate date by which the construction of the public improvement will commence if the local agency determines that sufficient funds have been collected to complete financing on an incomplete public improvement, as identified in paragraph (2) of subdivision (a) of Section 66001, and the public improvement remains incomplete.

(G) A description of each interfund transfer or loan made from the account or fund, including the public improvement on which the transferred or loaned fees will be expended, and, in the case of an interfund loan, the date on which the loan will be repaid, and the rate of interest that the account or fund will receive on the loan.

(H) The amount of refunds made pursuant to subdivision (e) of Section 66001 and any allocations pursuant to subdivision (f) of Section 66001.

(2) The local agency shall review the information made available to the public pursuant to paragraph (1) at the next regularly scheduled public meeting not less than 15 days after this information is made available to the public, as required by this subdivision. Notice of the time and place of the meeting, including the address where this information may be reviewed, shall be mailed, at least 15

days prior to the meeting, to any interested party who files a written request with the local agency for mailed notice of the meeting. Any written request for mailed notices shall be valid for one year from the date on which it is filed unless a renewal request is filed. Renewal requests for mailed notices shall be filed on or before April 1 of each year. The legislative body may establish a reasonable annual charge for sending notices based on the estimated cost of providing the service.

(c) For purposes of this section, "fee" means any fee imposed to provide for an improvement to be constructed to serve a development project, or which is a fee for public improvements within the meaning of subdivision (b) of Section 66000, and that is imposed by the local agency as a condition of approving the development project.

(d) Any person may request an audit of any local agency fee or charge that is subject to Section 66023, including fees or charges of school districts, in accordance with that section.

(e) The Legislature finds and declares that untimely or improper allocation of development fees hinders economic growth and is, therefore, a matter of statewide interest and concern. It is, therefore, the intent of the Legislature that this section shall supersede all conflicting local laws and shall apply in charter cities.

(f) At the time the local agency imposes a fee for public improvements on a specific development project, it shall identify the public improvement that the fee will be used to finance.

66006.5. (a) A city or county which imposes an assessment, fee, or charge, other than a tax, for transportation purposes may, by ordinance, prescribe conditions and procedures allowing real property which is needed by the city or county for local transportation purposes, or by the state for transportation projects which will not receive any federal funds, to be donated by the obligor in satisfaction or partial satisfaction of the assessment, fee, or charge.

(b) To facilitate the implementation of subdivision (a), the Department of Transportation shall do all of the following:

(1) Give priority to the refinement, modification, and enhancement of procedures and policies dealing with right-of-way donations in order to encourage and facilitate those donations.

(2) Reduce or simplify paperwork requirements involving right-of-way procurement.

(3) Increase communication and education efforts as a means to solicit and encourage voluntary right-of-way donations.

(4) Enhance communication and coordination with local public entities through agreements of understanding that address state acceptance of right-of-way donations.

66007. (a) Except as otherwise provided in subdivisions (b) and (g), any local agency that imposes any fees or charges on a residential development for the construction of public improvements or facilities shall not require the payment of those fees or charges, notwithstanding any other provision of law, until the date of the final inspection, or the date the certificate of occupancy is issued,

whichever occurs first. However, utility service fees may be collected at the time an application for utility service is received. If the residential development contains more than one dwelling, the local agency may determine whether the fees or charges shall be paid on a pro rata basis for each dwelling when it receives its final inspection or certificate of occupancy, whichever occurs first; on a pro rata basis when a certain percentage of the dwellings have received their final inspection or certificate of occupancy, whichever occurs first; or on a lump-sum basis when the first dwelling in the development receives its final inspection or certificate of occupancy, whichever occurs first.

(b) (1) Notwithstanding subdivision (a), the local agency may require the payment of those fees or charges at an earlier time if (A) the local agency determines that the fees or charges will be collected for public improvements or facilities for which an account has been established and funds appropriated and for which the local agency has adopted a proposed construction schedule or plan prior to final inspection or issuance of the certificate of occupancy or (B) the fees or charges are to reimburse the local agency for expenditures previously made. "Appropriated," as used in this subdivision, means authorization by the governing body of the local agency for which the fee is collected to make expenditures and incur obligations for specific purposes.

(2) (A) Paragraph (1) does not apply to units reserved for occupancy by lower income households included in a residential development proposed by a nonprofit housing developer in which at least 49 percent of the total units are reserved for occupancy by lower income households, as defined in Section 50079.5 of the Health and Safety Code, at an affordable rent, as defined in Section 50053 of the Health and Safety Code. In addition to the contract that may be required under subdivision (c), a city, county, or city and county may require the posting of a performance bond or a letter of credit from a federally insured, recognized depository institution to guarantee payment of any fees or charges that are subject to this paragraph. Fees and charges exempted from paragraph (1) under this paragraph shall become immediately due and payable when the residential development no longer meets the requirements of this paragraph.

(B) The exception provided in subparagraph (A) does not apply to fees and charges levied pursuant to Chapter 6 (commencing with Section 17620) of Part 10.5 of Division 1 of Title 1 of the Education Code.

(c) (1) If any fee or charge specified in subdivision (a) is not fully paid prior to issuance of a building permit for construction of any portion of the residential development encumbered thereby, the local agency issuing the building permit may require the property owner, or lessee if the lessee's interest appears of record, as a condition of issuance of the building permit, to execute a contract to pay the fee or charge, or applicable portion thereof, within the time specified in subdivision (a). If the fee or charge is prorated pursuant to subdivision (a), the obligation under the contract shall be similarly prorated.

(2) The obligation to pay the fee or charge shall inure to the benefit of, and be enforceable by, the local agency that imposed the fee or charge, regardless of whether it is a party to the contract. The contract shall contain a legal description of the property affected, shall be recorded in the office of the county recorder of

the county and, from the date of recordation, shall constitute a lien for the payment of the fee or charge, which shall be enforceable against successors in interest to the property owner or lessee at the time of issuance of the building permit. The contract shall be recorded in the grantor-grantee index in the name of the public agency issuing the building permit as grantee and in the name of the property owner or lessee as grantor. The local agency shall record a release of the obligation, containing a legal description of the property, in the event the obligation is paid in full, or a partial release in the event the fee or charge is prorated pursuant to subdivision (a).

(3) The contract may require the property owner or lessee to provide appropriate notification of the opening of any escrow for the sale of the property for which the building permit was issued and to provide in the escrow instructions that the fee or charge be paid to the local agency imposing the same from the sale proceeds in escrow prior to disbursing proceeds to the seller.

(d) This section applies only to fees collected by a local agency to fund the construction of public improvements or facilities. It does not apply to fees collected to cover the cost of code enforcement or inspection services, or to other fees collected to pay for the cost of enforcement of local ordinances or state law.

(e) "Final inspection" or "certificate of occupancy," as used in this section, have the same meaning as described in Sections 305 and 307 of the Uniform Building Code, International Conference of Building Officials, 1985 edition.

(f) Methods of complying with the requirement in subdivision (b) that a proposed construction schedule or plan be adopted, include, but are not limited to, (1) the adoption of the capital improvement plan described in Section 66002, or (2) the submittal of a five-year plan for construction and rehabilitation of school facilities pursuant to subdivision (c) of Section 17017.5 of the Education Code.

(g) A local agency may defer the collection of one or more fees up to the close of escrow. This subdivision shall not apply to fees and charges levied pursuant to Chapter 6 (commencing with Section 17620) of Part 10.5 of Division 1 of Title 1 of the Education Code.

66008. A local agency shall expend a fee for public improvements, as accounted for pursuant to Section 66006, solely and exclusively for the purpose or purposes, as identified in subdivision (f) of Section 66006, for which the fee was collected. The fee shall not be levied, collected, or imposed for general revenue purposes.

APPENDIX B

ORDINANCE O-02-00
with Staff Report

CITY OF COLTON

AGENDA REPORT

Council Meeting of March 7, 2000

TO:	Honorable Mayor Pro Tem and Council Members
APPROVAL:	Henry T. Garcia, City Manager
FROM:	Daryl J. Parrish, Assistant City Manager
SUBJECT:	Capital Infrastructure Study / Staff Revisions to the Mohle Grover Traffic Study ORDINANCE NO.
DATE:	February 28, 2000

BACKGROUND:

Purpose of the Study:

The Topping Jacquess Capital Infrastructure Study is intended to be a citywide evaluation of existing and future capital infrastructure needs based on the projected build-out of the City of Colton as defined by the City General Plan. The goal of the study is to ensure that adequate infrastructure and funding will be in place to meet the needs of the City of Colton as it proceeds towards its ultimate build-out. Since new development places an additional burden on existing City Infrastructure and Public Services, it stands to reason, that without mitigation, services are eventually reduced to levels that are not acceptable. Periodic adjustments of development impact mitigation fees are sometimes necessary to partially offset the costs of such infrastructure and services and to keep pace with the demand for such infrastructure and services.

Levels of Review:

AD-HOC COMMITTEE: The Topping Jacquess Study completed in November 1997 was not done in a vacuum, rather it was developed in the presence of an ad-hoc committee comprised of representatives from the development and business communities.

PLANNING COMMISSION: The Topping Jacquess Study was reviewed by the Planning Commission at Public Hearings held on November 26, 1996 and February 24, 1998 where the Commission adopted Resolution NO. R-01-98 its recommendation to the City Council to accept the Capital Infrastructure Study with exceptions. The exceptions generally have to do with adjusting the development fees for Parks and Traffic Mitigation fees. The recommendation from the Planning Commission was delayed at the request of the City Manager to allow the opportunity for one additional review of the study by the "Capital Projects Team."

CAPITAL PROJECTS TEAM REVIEW: The Capital Projects Team consists of staff members Robb Steel, Tom Clarke, John Hutton, Al Holliman, Greg Lantz, James King, and Daryl Parrish. Additionally David Zamora and Andres Soto participated in this project, as they were the key staff associated with the Capital Infrastructure Study as it proceeded through the ad-hoc committee and the Planning Commission. The Capital Projects Team reviewed the study and discussed the methodologies used for

calculating each of the types of proposed development fees, as well as for existing fees.

DISCUSSION/ANALYSIS:

Topping Jacquess Consultants (the "Consultants") conducted an analysis of development impact mitigation fees currently in place and identified additional infrastructure and public service categories for which there currently exists no development impact mitigation fee. Currently, the city assesses development fees for parks, sewer, water, storm drainage fees (in two locations) and traffic. Additional facilities and public services that were identified where development fees are currently not collected but should be are for police station, fire station, library and civic center improvements.

The Study contains an in-depth analysis of six infrastructure and public service categories: Civic Center, Fire Station, Library, Parks, Police Station, and Traffic. Water and Sewer fees were not included in this analysis because the Utility Department was in the process of updating its Water and Wastewater Master Plan at the time the Capital Infrastructure Study was conducted. Additionally, storm drainage fees were not reviewed as part of this study. The consultant did suggest however that a storm drain study be undertaken at some point in time in concert with the County of San Bernardino Flood Control District.

Based on future infrastructure needs, the study determined that the following costs could be allocated and collected from new development for each infrastructure category:

Civic Center	\$1,264,151
Fire Station	\$1,750,180
Library	\$2,278,064
Parks	\$7,441,824
Police Station	\$2,452,616
Traffic	\$13,174,502
TOTAL	\$28,361,337

If enacted the proposed development impact mitigation fees would be collected on a per unit basis *when new development* occurs. None of the aforementioned fees would be collected from existing businesses or residents. The development unit is equal to one dwelling unit for residential and 1000 square feet of building area for commercial and industrial projects.

The Study determined that for the six infrastructure and public service categories listed above the current level of service is below the desired level of service in all categories except the fire station category. The cure for these existing deficiencies however, cannot be made the responsibility of new development.

AB 1600

Assembly Bill 1600 (adopted in 1987) is the most commonly recognized legislation dealing with the development fee issue. AB 1600 provides a detailed set of regulations

that local governments must follow when enacting development impact fees. They are as follows:

IDENTIFY THE PURPOSE OF THE FEE

Each category of infrastructure/public facility to be funded with the dollars collected must be specified.

IDENTIFY THE USE TO WHICH THE FEE WILL BE PUT

Specific projects to be funded must be identified. Details such as level of service, design standards and projected costs plus related methodologies must be documented.

DEMONSTRATE REASONABLE RELATIONSHIPS BETWEEN THE FEES'S USE AND TYPE OF DEVELOPMENT AND A REASONABLE RELATIONSHIP BETWEEN THE NEED FOR THE FACILITY AND THE TYPE OF DEVELOPMENT PROJECT

New development must create the need for the service or facility and the new development must benefit from the service or facility.

DEFINE THE RELATIONSHIP BETWEEN THE AMOUNT OF THE FEE AND THE COST OF THE INFRASTRUCTURE ATTRIBUTABLE TO THE DEVELOPMENT ON WHICH THE FEE IS IMPOSED

The fee must be accurately and fairly allocated to the individual land use project to which it is applied. Additionally, only those costs that are eligible for charging against new development are applied.

CATEGORIES OF IMPROVEMENTS

There are generally three categories of improvements: 1) expansion of facilities, 2) upgrades of facilities, and 3) replacement of facilities that are worn and have exceeded their useful life.

- Expansion of Facilities: These projects are generally built to accommodate growth and can be legitimately allocated to new development.
- Upgrades to Facilities: Upgrades frequently benefit both existing and future populations. Costs should be allocated on a fair share basis to both groups as appropriate.
- Replacement of Facilities: These costs are typically not allocable to new development. If the replacement has increased capacity to accommodate new growth then the difference in the cost due to the increased capacity can be passed on to new development.

The General Plan as a Basis for Fees

The adopted General Plan is used as the basis for development fees through determining the build-out infrastructure needs of the City and apportioning the costs of new facilities to new development. Infrastructure and service demand is a function of land use and population. The General Plan defines the anticipated build-out of the

City, addresses land use type and distribution and serves as the basis for projecting land use and population growth.

Fee Categories and Study Recommendations

CIVIC CENTER

The Civic Center will require some expansion to accommodate additional staff at build-out. Remodeling and modernization of the Civic Center will also be necessary. Since remodeling and modernization will also benefit the existing population, a portion of the cost will require funding from other sources. The study recommends adoption of the fees listed in Table 1-6 (page 1-12).

FIRE

The City will require one additional Fire Station to meet fire protection needs at build-out and maintain the current level of service. The study recommends adoption of the fees listed in Table 1-6 (page 1-12).

LIBRARY

Library services will require significant building and land area expansion to meet future population demands. Additional books will also be needed to maintain the existing level of service standard. The study recommends adoption of the fees listed in Table 1-6 (page 1-12).

PARKS

The City has adopted a General Plan standard of 5 acres per thousand residents for improved parkland. The operative standard for the City has been the Quimby Act Ordinance (adopted 1988) and the development fee calculation used has been 3 acres per thousand residents. Using the Quimby Act Ordinance Standard (the more conservative of the two standards) the City should have approximately 134 acres today (it currently has 60) and 212 acres at build-out. The study recommends adoption of the fees listed in Table 1-6 (page 1-12) that would essentially provide a funding source for the City of Colton to acquire an additional 78 acres of parkland to serve the community at build-out. In addition to approving the fees in the study, on September 14, 1999, staff recommended, and the City Council approved funding for the commissioning of a Parks Master Plan Study to further plan for the community's park needs at build-out. Finally, the study recommends that the city's Quimby Standard be extended to include Apartments and Single Family Unit Developments on 4 or fewer lots.

POLICE

City build-out will require expanding the current police station to accommodate approximately 49 additional employees and 26 new vehicles. Current space deficiency will have to be funded from sources other than development fees. The study recommends adoption of the fees listed in Table 1-6 (page 1-12).

TRAFFIC

Traffic mitigation fees were adopted in 1993 at 50 % of the fee level recommended by the "Mohle Grover" Study. The methodology used in the Mohle Grover Study-produced fees based on a list of 75 projects at a total cost of \$49,070,964 (in 1992 dollars). The estimated increase in daily vehicle trips by the year 2010 is 191,415 yielding a cost per vehicle trip of \$256.35. The Mohle-Grover Study did not provide credits for other funding sources such as grants, or other factors such as the "pass-by" factor. Furthermore, there was no competitive analysis provided in the Mohle-Grover Study that compared the traffic mitigation fees calculated and how they compared with those in surrounding communities. At the workshop held on September 14, 1999, the City Council directed staff to develop a methodology for deriving traffic fees using existing studies, known engineering sources and internal resources. The results of that analysis are based on the methodology employed in the Mohle-Grover Study with the following revisions: (1) the project list has been revised to include 83 projects at a total cost of \$60,261,056 (in 2000 dollars), (2) offsets to total costs from other public funding sources and existing private sources in the amount of \$47,086,554, leaving the total costs allocated to traffic fees of \$13,174,502, yielding a costs per vehicle trip of \$93.82, (3) providing a credit for the "pass-by" factor to certain land use types, and (4) adjust the formulaic fee for certain commercial categories to make our traffic fee "competitive" with traffic fees assessed by surrounding communities competing with Colton for quality development projects.

More on the "Pass-by Factor" Credit: This credit is given to certain land use categories that tend to be less "destination oriented." Less destination oriented land use categories tend to have less of an impact on street systems and thus may be assessed lower traffic mitigation fees than land use categories that are more "destination oriented" (excerpts from the Institute of Transportation Engineers Trip Generation Handbook). Examples of destination oriented land use categories include large shopping centers and residential developments and examples of pass-by oriented land use categories include smaller shopping center and drive through restaurants.

Credit for Improvements Funded Through Community Facilities Districts

In instances where it is determined that the Development Impact Fees imposed by this Ordinance are for the same public improvement projects funded through a CFD, and previous contributions have been made by a specific developer to fund these improvements, said developer may receive a credit in the amount that was contributed towards such improvements as an offset to the fees imposed by this Ordinance.

ENVIRONMENTAL IMPACT:

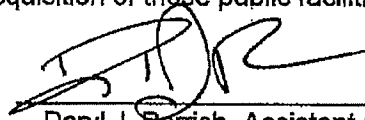
The negative declaration and initial study prepared for the project contain a complete and accurate reporting of the environmental impacts associated with the Project. The documents have been completed in compliance with CEQA and the State CEQA Guidelines. All environmental impacts of the Project are insignificant. There is no substantial evidence in the record supporting a fair argument that the Project will result in significant impacts to the environment.

FISCAL IMPACT:

The attached Ordinance if approved and adopted will have the following fiscal impact:

- (1) Generally, it is anticipated that revenues will increase as new fees for Civic Center Development, Fire Protection Development, Library Development, and the Law Enforcement Facilities Development will be collected. Additionally, it is anticipated that revenues will increase as a result of the recommended Park Fee changes as recommended by the Capital Infrastructure Study and the recommended changes to the City of Colton Quimby Ordinance.
- (2) Generally, it is anticipated that traffic mitigation fee revenues will decrease as we are recommending that traffic fees be reduced in basically all land use categories. Actual fiscal impact with regards to traffic mitigation revenues may in reality increase as we would anticipate less project-by-project negotiations with regards to traffic mitigation fees (compared to such negotiations that currently exist) if the recommended traffic mitigation fees were adopted.

Finally, each of the fees paid pursuant to the attached Ordinance shall be placed in separate funds each of which may be further segregated by specific projects. These funds shall be known as the Civic Center Development Fund, the Fire Protection Development Fund, the Library Development Fund, and the Law Enforcement Development Fund. The City of Colton currently has established Park Development and Traffic Impact Funds. These funds, and the interest earned thereon, shall be restricted, and shall be expended solely for the construction and/or acquisition of the corresponding public facilities as indicated in the Capital Infrastructure Study, or for reimbursement for construction and/or acquisition of those public facilities.



Daryl J. Parrish, Assistant City Manager

RECOMMENDATION:

Staff recommends that the City Council waive full reading and pass the first reading of Ordinance, regarding the acceptance of the "Capital Infrastructure Study" and the "Revisions to the Mohle Grover Study" and the revised development impact fees contained within. Additionally, staff recommends that the City Council amend the City of Colton Quimby Act Ordinance to include apartments, subdivisions with less than five (5) lots, and single family permits making them subject to development impact fees. Staff recommends that the changes if adopted by the attached Ordinance become effective July 1, 2000. Finally, staff recommends that a Negative Declaration be approved for the Study.

Attachments

ORDINANCE NO. O-02-00

AN ORDINANCE OF THE CITY COUNCIL
OF THE CITY OF COLTON ACCEPTING THE
CAPITAL INFRASTRUCTURE STUDY,
ENACTING DEVELOPMENT IMPACT FEES
TO FINANCE PUBLIC FACILITIES,
AND ADOPTING A NEGATIVE DECLARATION

WHEREAS, the City Council of the City of Colton recognizes the need to finance adequate public facilities made necessary by the impacts of new development; and

WHEREAS, the findings set out below, are based on a document prepared by City staff and Topping Jaquess Consultants, Inc. entitled "Capital Infrastructure Study" (the "Study") dated November, 1997 and

WHEREAS, the Study identifies public facilities anticipated to be needed, compares the facilities anticipated to be needed with current facilities, identifies current deficiencies in public facilities to assure that development fees are not charged to mitigate existing deficiencies not attributable to future development, determines the types of developments to which fees will be applied, determines the costs of the needed facilities (including administration and financing costs) and determines the amount of fees to be imposed upon development to fund the type of public facility created by development impacts; and

WHEREAS, the findings set out below relating to traffic fees are based on a document prepared by the traffic engineering firm Mohle, Grover and Associates in 1993, and revised and updated by City staff in 1999 (collectively "the Mohle-Grover Study").

WHEREAS, detailed descriptions of each of the public facilities created by the impacts of development and their estimated costs are set forth in the Study and the Mohle-Grover Study, which are on file in the City Clerk's office; and

1 WHEREAS, pursuant to Article 11, Section 7 of the California Constitution, the City is
2 authorized to enact measures that protect the health, safety and welfare of its citizens; and

3 WHEREAS, pursuant to Government Code Section 66000 et seq., the City is empowered
4 to impose fees and other exactions to provide necessary public facilities required to mitigate the
5 impacts of new development projects; and

6 WHEREAS, the Planning Commission of the City of Colton has recommended the City
7 Council adopt the Study, with the exception of the provisions relating to park and traffic fees.

8 WHEREAS, the Planning Commission requested that further studies be commissioned
9 for park and traffic fees with the intention of establishing new fees.

10 WHEREAS, City staff has performed additional studies related to park and traffic fees.

11 WHEREAS, the City has: 1) Provided published notice and made available to the public,
12 at least ten days prior to its public hearing, data indicating the estimated cost required to provide
13 the public facilities for which these development fees are levied and the revenue sources
14 anticipated to provide those facilities; 2) mailed notice at least fourteen days prior to this meeting to
15 all interested parties who have requested notice of new or increased development fees; and 3) held
16 a duly noticed public hearing at which oral and written testimony was received regarding the
17 proposed fees; and

18 WHEREAS, City Staff has determined that acceptance of the Study, the Mohle-Grover
19 Study and imposition of the development impact fees (the "Project") is subject to the requirements
20 of the California Environmental Quality Act ("CEQA") and has prepared an initial study for the
21 Project; and

22 WHEREAS, on the basis of the initial study which indicated the Project would have no
23 significant impacts, staff determined that a negative declaration should be prepared for the Project;
24 and
25

1 WHEREAS, a negative declaration was prepared pursuant to CEQA and the State CEQA
2 Guidelines; and

3 WHEREAS, the City of Colton, as the lead agency for the Project, provided copies of the
4 draft negative declaration and initial study to the public for review and comment pursuant to Public
5 Resources Code Sections 21091 and 21092; and

6 WHEREAS, the City has considered all comments received regarding the negative
7 declaration; and

8 WHEREAS, the City Council has carefully reviewed the final negative declaration and all
9 of the information contained in the records for the Project.

10 WHEREAS, City staff has presented the changes to fees proposed in the Capital
11 Infrastructure Study and the changes to the fees proposed in the Mohle- Grover Study at
12 workshops conducted on September 14, 1999, and again on October 26, 1999.

13 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Colton as
14 follows:

15 SECTION 1: Recitals. The City Council hereby finds that the above recitals are
16 true and correct and are incorporated herein.

17 SECTION 2: General Findings. The City Council finds as follows:

18 A. The provision of new and expanded facilities is necessary to protect and promote
19 the health, safety and welfare of all the citizens of Colton by reducing the adverse effects of
20 urbanization and development created by new development.

21 B. It is necessary to enact and implement the development fees to assure that all
22 development within the City pays its reasonable, fair share of the costs of providing necessary
23 public facilities to accommodate such new development and the impacts it creates.
24
25

1 C. A proper funding source for public facilities needed and created by the costs
2 associated with new development is a specific development or facilities fee for each type of facility
3 related to the specific need created by the development and reasonably related to the relative cost
4 of providing such necessary public facilities.

5 D. The Study justifies the imposition of development fees on new construction by
6 analyzing the need for public facilities, assigning the costs on a fair-share basis to the various types
7 of development, and assigning the resulting fee based on the anticipated burden of each type of
8 development on City facilities and the need created by such development for new and expanded
9 facilities.

10 E. The purpose of the fees is to mitigate the impact on City facilities caused by
11 increased demand for public facilities from persons generated by development.

12 F. The fees will be used to finance public facilities, specifically, streets, street
13 widenings, new structures, (overcrossings and undercrossings), structure modifications, street
14 extensions, street realignments, new signals, signal modifications, law enforcement, fire protection,
15 civic center and library facilities.

16 G. The use of the fees to fund such public facilities is reasonably related to the impacts
17 of development on the City.

18 H. The need for development fees to fund such public facilities is reasonably related
19 to impacts on the City of development.

20 I. To assure fair and legally sound implementation of the development fees, such fees
21 may be reviewed annually and set by resolution following notice and hearing.

22 J. To assure fair implementation of the development fees, the City must have the
23 latitude to defer or waive such fees in special cases, after notice and hearing, where better or fairer
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1 financing arrangements would result from such deferral, or where imposition of such fees would
2 cause inequities.

3 K. To assure fair implementation of the development fees, provisions must be made
4 for extending such fees to subsequently annexed land that benefits from the public facilities funded
5 by these fees.

6 L. Notice of the public meeting adopting this resolution has been given in compliance
7 with Government Code Sections 66016 through 66018.

8 M. The Proposed Project will not have a significant effect on the environment and
9 warrants the filing of a Negative Declaration.

10 SECTION 3: Study. The City Council hereby accepts the Capital Infrastructure Study,
11 however, with regard to park fees, the City Council hereby directs staff to commission a
12 comprehensive citywide master plan and needs assessment studies for parks with the goal of
13 establishing future park fees. Funding for the master plan and needs assessment studies shall be
14 available through previously collected park development fees. With regard to traffic fees, the City
15 Council hereby accepts the 1993 Mohle-Grover Study, including the revisions to the Mohle-
16 Grover Study made by City staff.

17 SECTION 4: Park Fees - Findings.

18 A. The development of property in the City will create a need for additional parkland and
19 park improvements to meet the City's General Plan and Quimby Act goals and needs at build-out
20 and maintain current levels of service.

21 B. Although the Study identifies a current parkland deficiency of 74 acres in order to meet
22 current Quimby Act goals, the fees recommended in the Study do not take into account such
23 deficiency. Instead, the recommended fees are based only on the City's parkland needs to meet
24 incremental build-out population of 26,124 persons. The acquisition of additional parkland and
25

1 the construction of park improvements are identified in the study and are necessary to maintain
2 current levels of service. There is however, a need for further study to determine which specific
3 improvements would be most beneficial to the community and what level of funding will be
4 required to meet those needs and to maintain the current level of service. Comprehensive citywide
5 master plan and needs assessment studies shall be commissioned to address those issues and
6 ultimately be the mechanism used to establishing new park development fees.

7 C. The Study uses an Equivalent Residential Unit factor for each type of development to
8 demonstrate the reasonable relationship between each type of development and how it generates
9 demand for additional parkland and park improvements.
10

11 D. New development will derive benefit from the acquisition of additional parkland and
12 park improvements and should be assessed per the provisions of this ordinance and pay a fair
13 share of the cost thereof based on the benefit derived therefrom.

14 E. After consideration of the Study and the testimony provided at the public hearing, the
15 City Council finds that new development in the City will create the need for additional parkland
16 and park improvements which the proposed park fees will help to fund.

17 F. The City Council also finds that the costs of acquiring additional parkland and
18 constructing additional park improvements funded by this resolution are appropriated relative to
19 the anticipated impacts created by development within the City, and that the fees are roughly
20 proportional and fairly apportioned on equivalent residential units throughout the city on the basis
21 of benefits conferred on property proposed for development and the need for such facilities
22 created by the proposed development.
23

24 G. The facts and evidence establish that there is a reasonable relationship between the
25 need for the described public facilities and the impacts created by the types of development upon
which the fee will be imposed, and that there is a reasonable relationship between the fee's use and

1 the types of development for which the fee is charged. The reasonable relationship is described in
2 more detail in the Study.

3 H. The City Council also finds that the cost estimates set forth in the Study are reasonable
4 and will not exceed the reasonably estimated total of these costs.

5 I. The park fees collected pursuant to this ordinance shall be used only to finance the
6 acquisition of additional parkland and park improvements as described or identified in the parks
7 section of the Study.

8 **SECTION 5: Traffic Fees - Findings.**

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10 A. The development of property in the City will create a need for additional infrastructure
11 projects and improvements to existing infrastructure to include streets, structures (such as bridges)
12 and traffic signals to maintain the current level of service.

13 B. The construction of the additional infrastructure projects and improvements to existing
14 infrastructure are identified in the staff revisions to the Mohle-Grover Study and both are necessary
15 to maintain the current level of service. The Mohle Grover Study identifies lists of projects
16 necessary to maintain acceptable levels of service with respect to the flow of traffic in the
17 community. While the Cities *ad hoc* committee has determined that the levels of service with
18 respect to traffic flows are presently within established standards, the additional vehicle trips
19 generated as a function of additional development (as the community approaches build-out) will be
20 necessary to maintain such acceptable levels of service with respect to traffic flows.

21 C. The staff revisions to the Mohle-Grover Study uses the trip generation table for land
22 use types from the Institute of Traffic Engineers Manual as the basis for calculating the traffic fee
23 which demonstrates a reasonable relationship between each type of development and how it
24 generates the need for additional infrastructure and improvements to existing infrastructure.
25

1 D. New development will derive benefit from infrastructure improvements and should be
2 assessed per the provisions of this ordinance and pay a fair share of the cost thereof based on the
3 benefit derived therefrom.

4 E. After consideration of the staff revisions to the Mohle Grover Study and testimony at
5 this public hearing, the City Council finds that new development in the City will create needs for
6 new infrastructure projects that the construction and acquisition of the public improvements
7 funded by this ordinance will meet.

8 F. The City Council also finds that the costs of the additional structures and infrastructure
9 improvements funded by the development fees authorized by this ordinance are apportioned
10 relative to the anticipated impacts created by development within the City. Moreover, the fees are
11 roughly proportional and fairly apportioned based on a pass-by calculation and the trip generation
12 table from the Institute of Traffic Engineers Manual 4th Edition (ITE) on the basis of benefits
13 conferred on property proposed for development and the need for such facilities created by the
14 proposed development. The independent variable used to determine the fee is the "vehicle trip
15 ends" from the ITE Manual. These traffic generation rates are quantified based on vehicle
16 driveway volume. Shopping Center data collection has found that pass-by trips can account for a
17 significant portion of the driveway volume for these facilities. Therefore, the driveway count does
18 not always reflect the actual impact of trips on the street system for this particular land use. Based
19 upon Chapter V, figure V-1 of the ITE Manual, it is recommended that a by pass-by trip impact
20 reduction percentage be applied to particular land uses based on such data found in the 4th Edition
21 of the ITE Manual.
22

23 G. The facts and evidence establish that there is a reasonable relationship between the
24 need for the described public facilities and the needs created by the types of development on
25 which the fee will be imposed, and that there is a reasonable relationship between the fee's use and

1 the types of development for which the fee is charged. The reasonable relationship is described in
2 more detail in the Mohle Grover Study and the staff revisions Mohle Grover Study.

3 H. The City Council also finds that the cost estimates set forth in the Mohle Grover Study
4 and the staff revisions to the Mohle Grover Study are reasonable and will not exceed the
5 reasonably estimated total of these costs.

6 I. The Traffic fees collected pursuant to this resolution shall be used only to finance the
7 infrastructure projects described in the staff revisions to the Mohle Grover Study.

8 SECTION 6: Storm Drain Fee Study. The City Council hereby directs staff to
9 commission a comprehensive citywide study regarding storm drain fees, with the goal of setting
10 reasonable storm drain fees.
11

12 SECTION 7: Civic Center - Findings.

13 A. The development of property in the City will create a need for expansion and
14 remodeling of the civic center to accommodate the additional City staff to maintain the current
15 level of service.

16 B. The expansion and remodeling of the civic center are identified in the Study and
17 are necessary to maintain the current level of service.

18 C. The Study uses an Equivalent Residential Unit factor for each type of development
19 to demonstrate the reasonable relationship between each type of development and how it
20 generates demand for the expansion and remodeling of the civic center for which the civic center
21 fee will be used. Future expansion takes into account the fact that portions of the Civic Center
22 currently leased to private tenants will not become available for staff expansion purposes in the
23 foreseeable future because such space is leased to two longstanding tenants, the Colton Chamber
24 of Commerce, and Lawrence Hutton, Attorney at Law.
25

1 D. New development will derive benefit from the expansion and remodeling of the
2 civic center to accommodate the additional City staff and should be assessed per the provisions of
3 this ordinance and pay a fair share of the cost thereof based on the benefit derived therefrom.

4 E. After consideration of the Study and testimony at this public hearing, the City
5 Council finds that new development in the City will create the need for civic center expansion and
6 that the development fees authorized by this ordinance will fund public improvements.

7 F. The City Council also finds that the costs of the expanded civic center funded by
8 this ordinance are apportioned relative to the anticipated impacts created by development within
9 the City, and that the fees are fairly apportioned on Equivalent Residential Units throughout the
10 City on the basis of benefits conferred on property proposed for development and the need for
11 such facilities created by the proposed development.
12

13 G. The facts and evidence establish that there is a reasonable relationship between the
14 need for the described public facilities and the needs created by the types of development on
15 which the fee will be imposed, and that there is a reasonable relationship between the fee's use and
16 the types of development for which the fee is charged. This reasonable relationship is described in
17 more detail in the Study.

18 H. The City Council also finds that the cost estimates set forth in the Study are
19 reasonable and will not exceed the reasonably estimated total of these costs.

20 I. The civic center fees collected pursuant to this ordinance shall be used only to
21 finance the civic center facilities described or identified in the civic center section of the Study.
22

23 SECTION 8: Fire Protection - Findings.

24 A. The development of property in the City will create a need for an additional fire
25 station to meet the City's fire protection needs at build out and maintain the current level of
service.

1 B. The construction of an additional fire station is identified in the Study and is
2 necessary to maintain the current level of service.

3 C. The Study uses an Equivalent Residential Unit factor for each type of development
4 to demonstrate the reasonable relationship between each type of development and how it
5 generates demand for the additional fire station for which the fire protection fee will be used.

6 D. New development will derive benefit from the additional fire station and should be
7 assessed per the provisions of this ordinance and pay a fair share of the cost thereof based on the
8 benefit derived therefrom.

9 E. After consideration of the Study and testimony at this public hearing, the City
10 Council finds that new development in the City will create needs for an additional fire station that
11 the construction and acquisition of the public improvements funded by this ordinance will meet.

12 F. The City Council also finds that the costs of the additional fire station funded by
13 this ordinance are apportioned relative to the anticipated impacts created by development within
14 the City, and that the fees are fairly apportioned on Equivalent Residential Units throughout the
15 City on the basis of benefits conferred on property proposed for development and the need for
16 such facilities created by the proposed development.

17 G. The facts and evidence establish that there is a reasonable relationship between the
18 need for the described public facilities and the needs created by the types of development on
19 which the fee will be imposed, and that there is a reasonable relationship between the fee's use and
20 the types of development for which the fee is charged. This reasonable relationship is described in
21 more detail in the Study.

22 H. The City Council also finds that the cost estimates set forth in the Study are
23 reasonable and will not exceed the reasonably estimated total of these costs.
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1 I. The fire protection fees collected pursuant to this resolution shall be used only to
2 finance the additional fire station and equipment described or identified in the fire protection
3 section of the Study.

4 **SECTION 9: Library - Findings.**

5 A. The development of residential, commercial and industrial property in the City will
6 create a need for significant library building and land area expansion to meet future user demands
7 and additional library books to maintain the current level of service.

8 B. The expansion of library building and land area and purchase of additional library
9 books are identified in the Study and are necessary to maintain the current level of service.

10 C. The Study uses an Equivalent Residential Unit factor for each type of development
11 to demonstrate the reasonable relationship between each type of development and how it
12 generates demand for the library building and land area expansion and purchase of additional
13 library books for which the library fee will be used. These have been apportioned on a pro rated
14 basis according to the historical usage of library services in the City of Colton. Recent patronage
15 observations indicated that libraries are used by the business community to a considerable extent.
16 Additionally, national library surveys have noted that quality library services can be a factor in
17 business and industrial attraction. Thus, 75% of the libraries use has been apportioned to
18 residential development and 25% to commercial/industrial development.

19 D. New development will derive benefit from the library building and land area
20 expansion and purchase of additional library books and should be assessed per the provisions of
21 this resolution and pay a fair share of the cost thereof based on the benefit derived therefrom.

22 E. After consideration of the Study and testimony at this public hearing, the City
23 Council finds that new development in the City will create needs for additional library space and
24
25

1 library books that the construction and acquisition of the public improvements funded by this
2 ordinance will meet.

3 F. The City Council also finds that the costs of the additional library space and library
4 books funded by this ordinance are apportioned relative to the anticipated impacts created by type
5 of development within the City, and that the fees are fairly apportioned on Equivalent Residential
6 Units throughout the City on the basis of benefits conferred on property proposed for
7 development and the need for such facilities created by the proposed development.

8 G. The facts and evidence establish that there is a reasonable relationship between the
9 need for the described public facilities and the needs created by the types of development on
10 which the fee will be imposed, and that there is a reasonable relationship between the fee's use and
11 the types of development for which the fee is charged. This reasonable relationship is described in
12 more detail in the Study.

14 H. The City Council also finds that the cost estimates set forth in the Study are
15 reasonable and will not exceed the reasonably estimated total of these costs.

16 I. The library fees collected pursuant to this ordinance shall be used only to finance
17 the library facilities and books described or identified in the library section of the Study.

18 **SECTION 10: Law Enforcement - Findings.**

19 A. The development of property in the City will create a need for expansion of the
20 current police station to accommodate 49 additional employees and purchase of 26 new vehicles
21 to maintain the current level of service.

22 B. The expansion of the current police station and purchase of 26 new vehicles are
23 identified in the Study and are necessary to maintain the current level of service.

24 C. The Study uses an Equivalent Residential Unit factor for each type of development
25 to demonstrate the reasonable relationship between each type of development and how it

1 generates demand for the expansion of the current police station and purchase of 26 new vehicles
2 for which the law enforcement fee will be used.

3 D. New development will derive benefit from the expansion of the current police
4 station and purchase of 26 new vehicles and should be assessed per the provisions of this
5 ordinance and pay a fair share of the cost thereof based on the benefit derived therefrom.

6 E. After consideration of the Study and testimony at this public hearing, the City
7 Council finds that new development in the City will create needs for expansion of the current
8 police station and purchase of 26 new vehicles that the construction and acquisition of the public
9 improvements funded by this ordinance will meet.

10 F. The City Council also finds that the costs of the expansion of the current police
11 station and the purchase of 26 new vehicles funded by this ordinance are apportioned relative to
12 the anticipated impacts created by development within the City, and that the fees are fairly
13 apportioned on Equivalent Residential Units throughout the City on the basis of benefits conferred
14 on property proposed for development and the need for such facilities created by the proposed
15 development.

16 G. The facts and evidence establish that there is a reasonable relationship between the
17 need for the described public facilities and the needs created by the types of development on
18 which the fee will be imposed, and that there is a reasonable relationship between the fee's use and
19 the types of development for which the fee is charged. This reasonable relationship is described in
20 more detail in the Study.

21 H. The City Council also finds that the cost estimates set forth in the Study are
22 reasonable and will not exceed the reasonably estimated total of these costs.
23
24
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1 I. The law enforcement fees collected pursuant to this resolution shall be used only to
2 finance the law enforcement facilities described or identified in the law enforcement section of the
3 Study.

4 **SECTION 11: Adoption of Fees.** The City Council hereby adopts the development
5 impact mitigation fees as set forth in Exhibit "A." Each owner of a commercial or industrial lot or
6 parcel shall pay to the City prior to the issuance of a building permit the fees set forth in Exhibit
7 "A." Each owner of a residential lot or parcel shall pay such fees to the City prior to the date of
8 final inspection or the date the certificate of occupancy is issued, whichever comes first, in
9 accordance with Government Code Section 66007, including subdivision (b) of that statute.
10

11 **SECTION 12: Accounting and Disbursement.**

12 A. Each of the fees paid pursuant to this ordinance shall be placed in a separate fund,
13 each of which may be further segregated by specific projects. These funds shall be known,
14 respectively, as:

- 15 1. The Civic Center Development Impact Fee Fund
- 16 2. The Fire Protection Development Impact Fee Fund
- 17 3. The Library Development Impact Fee Fund
- 18 4. The Law Enforcement Development Impact Fee Fund

19 B. These funds, and the interest earned thereon, shall be expended solely for
20 construction and/or acquisition of the corresponding public facilities as shown in the Study, or for
21 reimbursement for construction and/or acquisition of those public facilities.
22

23 **SECTION 13: Waivers and Reimbursement.**

24 A. The City Council is empowered to grant deferral, waiver or reduction of any fee
25 imposed by this ordinance upon request. Such deferral, waiver or reduction may only be granted
after notice and hearing if, in the opinion of the City Council, properly supported by specific

1 findings, deferral would allow a better or fairer financing arrangement to be developed and
2 imposed, or where waiver or reduction is required because imposition of such fee or fees in full
3 would cause inequities. The City may also enter into reimbursement agreements with property
4 owners, where appropriate.

5 B. Incorporated within the City of Colton are specifically defined Community Facilities
6 Districts (CFD's) where bonds have been issued to provide funding for public improvements such
7 as street improvements, parks, and storm drain improvements. Property owners currently pay
8 special taxes to pay the debt service on said bonds. In such cases where it is determined that the
9 development impact fees imposed by this Ordinance are to construct the same improvements
10 funded by the CFD, and previous contributions have been made by a developer to fund these
11 improvements, said developer shall receive a credit in the amount that was contributed towards
12 such improvements as an offset to the fees imposed by this Ordinance.

14 SECTION 14: Subsequently Annexed Land. As areas not presently within the City
15 seek to annex to the City, the City Council shall determine the benefit to such land areas of the
16 public facilities funded by the development fees adopted herein. The City Council may then
17 impose the development fees, in whole or in part, upon such annexed areas to the extent necessary
18 to assure that such areas pay their fair share of the actual costs of all necessary public facilities
19 benefiting their projects.

20 SECTION 15: Negative Declaration.

21 A. The negative declaration and initial study prepared for the Project contain a
22 complete and accurate reporting of the environmental impacts associated with the Project. The
23 documents have been completed in compliance with CEQA and the State CEQA Guidelines.

24 B. The negative declaration and initial study prepared for the Project reflect the
25 independent judgment of the City.

1 C. As the decision making body for the Project, the City Council reviewed and
2 considered the information contained in the negative declaration, initial study and administrative
3 record prior to approving the Project.

4 D. All environmental impacts of the Project are insignificant. There is no substantial
5 evidence in the record supporting a fair argument that the Project may result in significant impacts.

6 E. The Project will not result in any changes to the following resources: (A) Riparian
7 land, rivers, streams, watercourses and wetlands; (B) native and non-native plant life and the soil
8 required to sustain habitat for fish and wildlife; (C) rare and unique plant life and ecological
9 communities dependent on plant life; (D) listed threatened and endangered plants and animals
10 and the habitat in which they are believed to reside; (E) all species listed as protected or identified
11 for special management in the Fish and Game Code, the Public Resources Code, the Water Code
12 or regulations adopted thereunder; (F) all marine and terrestrial species subject to the jurisdiction
13 of the Department of Fish and Game and the ecological communities in which they reside; and
14 (G) all air and water resources, the degradation of which will individually or cumulatively result in a
15 loss of biological diversity among the plants and animals residing in that air and water.

16 F. The location and custodian of the documents and any other material which
17 constitute the proceedings upon which the City based its decision to adopt this Negative
18 Declaration are as follows: David R. Zamora, Community Development Director, 659 N. La
19 Cadena Drive, Colton, CA. 92324.

20 G. The City Council hereby adopts the negative declaration for the Project.

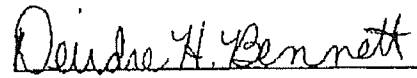
21 H. The City Council directs staff to file a Notice of Determination and a Certificate of
22 Fee Exemption (*de minimis* impact finding) with the County of San Bernardino within five (5)
23 working days of project approval.
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SECTION 16: Effective Date.

The fees adopted by this ordinance are effective July 1, 2000.

PASSED, APPROVED, AND ADOPTED this 21st day of March 2000.



DEIRDRE H. BENNETT
MAYOR PRO TEM
CITY OF COLTON

ATTEST:



CAROLINA P. BARRERA
CITY CLERK

EXHIBIT "A"

DEVELOPMENT IMPACT MITIGATION FEES PER DEVELOPMENT UNIT*

General Plan Category	Civic Center	Fire Station	Library	Police Station	Traffic	Parks
Single Family Residential	\$77	\$106	\$215	\$149	\$940	\$936
Multiple Family Residential	\$67	\$93	\$191	\$131	\$570 a \$550 c	\$831
Commercial: C1 and C2	\$65	\$90	\$59	\$126	See Exhibit B	0
Office/Business Park	\$71	\$98	\$43	\$138	See Exhibit B	0
Industrial: M1 and M2	\$26	\$36	\$23	\$50	See Exhibit B	0
Industrial Park	\$39	\$54	\$35	\$76	See Exhibit B	0

*Development Unit - Dwelling unit for residential and 1,000 square feet of building area for commercial and industrial.

a= Apartment c= Condominium

For Commercial Land Use Traffic Mitigation Fees see Exhibit "B"

EXHIBIT B

City of Colton Competitive Fee Proposal / Transportation (Traffic)

Item	Land Use	Pass By %	Average TPD	Unit	Existing Fee	New Calculated Fee	Proposed Competitive Avg. Fee	SB Fee	Rialto Fee	Fontana Fee
24	General Office (1 KSF)	0%	43.38	KSF	\$ 5,560.45	\$ 4,069.91	\$ 1,300.99	\$ 723.97	\$ 600.00	\$ 2,579
25	General Office (3 KSF)	0%	32.96	KSF	\$ 4,224.81	\$ 3,092.31	\$ 1,243.02	\$ 550.67	\$ 600.00	\$ 2,579
26	General Office (5 KSF)	0%	29.01	KSF	\$ 3,718.50	\$ 2,721.72	\$ 1,221.05	\$ 484.15	\$ 600.00	\$ 2,579
27	General Office (7 KSF)	0%	26.67	KSF	\$ 3,418.56	\$ 2,502.18	\$ 1,208.03	\$ 445.10	\$ 600.00	\$ 2,579
28	General Office (10 KSF)	0%	24.39	KSF	\$ 3,126.31	\$ 2,288.27	\$ 1,195.35	\$ 407.04	\$ 600.00	\$ 2,579
29	General Office (15 KSF)	0%	22.04	KSF	\$ 2,825.09	\$ 2,067.79	\$ 1,182.28	\$ 367.83	\$ 600.00	\$ 2,579
30	Business Park	0%	12.42	KSF	\$ 1,592.00	\$ 1,165.24	\$ 1,128.76	\$ 207.28	\$ 600.00	\$ 2,579
31	Building Materials/Lumber	0%	30.56	KSF	\$ 3,917.18	\$ 2,867.14	\$ 1,229.67	\$ 510.02	\$ 600.00	\$ 2,579
32	Hardware & Paint	0%	51.3	KSF	\$ 6,575.63	\$ 4,812.97	\$ 1,345.05	\$ 856.15	\$ 600.00	\$ 2,579
33	Discount Store	20%	71.16	KSF	\$ 9,121.29	\$ 5,340.98	\$ 1,455.53	\$ 1,187.59	\$ 600.00	\$ 2,579
34	Shopping Center (5 KSF)	75%	212.02	KSF	\$ 27,176.72	\$ 4,972.93	\$ 2,239.13	\$ 3,538.40	\$ 600.00	\$ 2,579
35	Shopping Center (10 KSF)	75%	166.35	KSF	\$ 21,322.74	\$ 3,901.74	\$ 1,985.07	\$ 2,776.22	\$ 600.00	\$ 2,579
36	Shopping Center (15 KSF)	65%	144.34	KSF	\$ 18,501.50	\$ 4,739.69	\$ 1,862.63	\$ 2,408.89	\$ 600.00	\$ 2,579
37	Shopping Center (20 KSF)	55%	130.52	KSF	\$ 16,730.05	\$ 5,510.42	\$ 1,785.75	\$ 2,178.25	\$ 600.00	\$ 2,579
38	Shopping Center (25 KSF)	50%	120.71	KSF	\$ 15,472.61	\$ 5,662.51	\$ 1,731.18	\$ 2,014.53	\$ 600.00	\$ 2,579
39	Shopping Center (30 KSF)	45%	113.25	KSF	\$ 14,516.39	\$ 5,843.81	\$ 1,689.68	\$ 1,890.03	\$ 600.00	\$ 2,579
40	Quality Restaurant	0%	95.62	KSF	\$ 12,256.57	\$ 8,971.07	\$ 1,591.60	\$ 1,595.80	\$ 600.00	\$ 2,579
41	High Turnover Sit Down	40%	200.89	KSF	\$ 25,750.08	\$ 11,308.50	\$ 2,177.22	\$ 3,352.65	\$ 600.00	\$ 2,579
42	Fast Food (1 KSF)	75%	632.13	KSF	\$ 81,026.42	\$ 14,826.61	\$ 4,576.21	\$ 10,549.62	\$ 600.00	\$ 2,579
43	Fast Food (3 KSF)	75%	632.08	KSF	\$ 81,020.01	\$ 14,825.44	\$ 4,575.93	\$ 10,548.78	\$ 600.00	\$ 2,579
44	Fast Food (5 KSF)	65%	476.35	KSF	\$ 61,058.54	\$ 15,641.90	\$ 3,709.60	\$ 7,949.81	\$ 600.00	\$ 2,579
45	Fast Food (7 KSF)	55%	409.61	KSF	\$ 52,503.81	\$ 17,293.32	\$ 3,338.33	\$ 6,835.98	\$ 600.00	\$ 2,579
46	Fast Food (10 KSF)	50%	359.55	KSF	\$ 46,087.12	\$ 16,866.49	\$ 3,059.84	\$ 6,000.53	\$ 600.00	\$ 2,579

City of Colton Competitive Fee Proposal

Item	Land Use	Pass By %	Average TPD	Unit	Existing Fee	New Calculated Fee	Proposed Competitive Avg. Fee	SB Fee	Rialto Fee	Fontana Fee
47	Fast Food (15 KSF)	45%	320.62	KSF	\$ 41,097.07	\$ 16,544.31	\$ 2,843.28	\$ 5,350.83	\$ 600.00	\$ 2,579
48	New Car Sales	10%	24.04	EMP	\$ 3,081.45	\$ 2,029.89	N/A	\$ 401.20	N/A	N/A
48	New Car Sales ²	10%	47.52	KSF	\$ 6,091.11	\$ 4,012.49	\$ 1,324.02	\$ 793.06	\$ 600.00	\$ 2,579
49	Service Station	58%	133	PUMP	\$ 17,047.94	\$ 5,240.79	\$ 2,219.64	\$ 2,219.64	N/A	N/A
50	Carwash	0%	108	STALL	\$ 13,843.44	\$ 10,132.56	\$ 1,660.47	\$ 1,802.41	\$ 600.00	\$ 2,579
51	Supermarket	45%	125.5	KSF	\$ 16,086.59	\$ 6,475.93	\$ 1,757.82	\$ 2,094.47	\$ 600.00	\$ 2,579
52	Convenience Market	45%	887.06	KSF	\$ 113,703.35	\$ 45,773.18	\$ 5,994.38	\$ 14,804.14	\$ 600.00	\$ 2,579
53	Clothing Store	0%	33.33	KSF	\$ 4,272.24	\$ 3,127.02	\$ 1,245.08	\$ 556.24	\$ 600.00	\$ 2,579
54	Furniture Store	0%	4.35	KSF	\$ 557.58	\$ 408.12	\$ 1,083.87	\$ 72.60	\$ 600.00	\$ 2,579
55	Bank (1 KSF)	50%	295.89	KSF	\$ 37,927.18	\$ 13,880.20	\$ 2,705.70	\$ 4,938.11	\$ 600.00	\$ 2,579
56	Bank (3 KSF)	50%	232.36	KSF	\$ 29,783.90	\$ 10,900.01	\$ 2,352.29	\$ 3,877.86	\$ 600.00	\$ 2,579
57	Bank (5 KSF)	50%	207.66	KSF	\$ 26,617.86	\$ 9,741.33	\$ 2,214.88	\$ 3,465.54	\$ 600.00	\$ 2,579
58	Bank (7 KSF)	50%	192.85	KSF	\$ 24,719.51	\$ 9,046.59	\$ 2,132.49	\$ 3,218.47	\$ 600.00	\$ 2,579
59	Bank (10 KSF)	50%	178.29	KSF	\$ 22,853.21	\$ 8,363.58	\$ 2,051.49	\$ 2,975.48	\$ 600.00	\$ 2,579
60	Bank (15 KSF)	50%	163.08	KSF	\$ 20,903.59	\$ 7,650.08	\$ 1,966.88	\$ 2,721.64	\$ 600.00	\$ 2,579
61	Insurance Office	0%	11.45	KSF	\$ 1,467.66	\$ 1,074.24	\$ 1,123.36	\$ 191.09	\$ 600.00	\$ 2,579

Notes:

- (1) Classification for High Turn Over Sit Down Restaurant has been added to list of uses.
- (2) Method to calculate fee for New Car Sales facility based upon 47.52 tpd per KSF has been added to list of uses.
- (3) No per KSF method to calculate fee for Services Stations exists. Only San Bernardino uses per pump method. Rialto and Fontana calculate on KSF method. Average fee only uses San Bernardino.

Notes:

2 - Includes Port Development Fee of \$3,567/EDU + Landscape Improvement of \$,493

Cost-based value: hypothetical average awarded by Eortana Storm drain fees increase from \$0 to \$21.35/acre. Flood control fees increase from \$4405 - \$9780/ gross acre.

* Based upon 3 1/2" meter including water for lines 33.4456. Water Development \$ 24,750

1. I hereby authorize Bank One of 875 E 525 near main street and local Park Fee of \$2.00 as of January 1, 2000.

Chicago Regional Fair Pass of \$7,355 per person and no more than 1000 tickets to be sold. (1997)

* Amount of Credit Fee was derived from previous study done by Tobacco-Industry Study. Current Fee could not be verified.

Sources: Based upon verbal information and/or written fee schedules supplied by each jurisdiction as of 09/10/99.

EAST VALLEY DEVELOPMENT FEE COMPARISON Commercial Supermarket

Use Type: Commercial - Grocery Store/Supermarket											
Size:		44,000 sq. ft.		Building Valuation:		\$2,924,000					
Lot Size:		4 acres									
Fee Type	Colton Existing	Colton Proposed	Fontana	Grand Terrace	Highland	Loma Linda	Redlands East Valley	Rialto	Riverside	San Bernardino	
Cultural Resources	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,000	\$ 14,620	
Fire Facilities	\$ -	\$ 3,960	\$ 11,000	\$ -	\$ 4,356	\$ 5,324	\$ 4,840	\$ 10,560	\$ -	\$ -	
Library Facilities	\$ -	\$ 2,596	\$ 1,012	\$ -	\$ -	\$ -	\$ 2,844	\$ -	\$ -	\$ -	
Municipal Facilities	\$ -	\$ 2,860	\$ 3,124	\$ -	\$ 3,212	\$ 5,544	\$ 10,240	\$ 4,400	\$ -	\$ -	
Parks/Open Space ¹	\$ 28,390	\$ 28,390	\$ 6,688	\$ 440	\$ -	\$ -	\$ 6,160	\$ 12,760	\$ 25,210	\$ -	
Police	\$ -	\$ 5,544	\$ 6,160	\$ -	\$ 13,200	\$ -	\$ 2,464	\$ 4,400	\$ -	\$ -	
Sewer ²	\$ 13,200	\$ 13,200	\$ 26,430	\$ 13,200	\$ 27,390	\$ 27,390	\$ 76,560	\$ 14,555	\$ 21,817	\$ 30,866	
Solid Waste	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 11,440	\$ -	\$ -	\$ -	
Drainage/Flood	\$ -	\$ -	\$ 80,512	\$ 2,000	\$ 14,168	\$ 32,012	\$ 10,880	\$ 27,280	\$ 5,446	\$ 19,515	
Transportation ³	\$ 707,810	\$ 284,941	\$ 113,476	\$ 2,400	\$ 194,920	\$ 6,952	\$ 454,405	\$ 28,400	\$ 17,900	\$ 92,157	
Water ⁴	\$ 23,290	\$ 23,290	\$ -	\$ 11,377	\$ 14,061	\$ 13,693	\$ 31,765	\$ 21,293	\$ 25,950	\$ 13,500	
TOTAL	\$ 772,690	\$ 364,781	\$ 248,402	\$ 29,417	\$ 271,307	\$ 90,916	\$ 611,598	\$ 121,848	\$ 98,323	\$ 176,658	

¹. Water Fees based upon 1-1/2" meter size & 300 ft. frontage

². Sewer fees when applicable is based upon 60 fixture units and 300 ft. frontage and/or .05 x Building Area x Treatment Rate

³. Colton Traffic/Transportation Fee is based upon ITE trips of 125.50 x KSF x Cost per trip

⁴. Colton Park fee is based upon \$150 for 1st \$100,000 of building valuation plus 1% of value over \$100,000

Revise Transportation

Sources: Based upon verbal information and/or written fee schedules supplied by each jurisdiction as of 08/10/98.

EAST VALLEY DEVELOPMENT FEE COMPARISON **Industrial Warehouse**

Use Type: Industrial - Warehouse 400 sq. ft. office										
Size: 40,000 sq. ft.										
Lot Size: 2.5 acres										
Building Value: \$1,772,000										
Fee Type	Colton Existing	Colton Proposed	Fontana	Grand Terrace	Highland	Loma Linda	Redlands East Valley	Rialto	Riverside	San Bernardino
Cultural Resources	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,250	\$ 8,880
Fire Facilities	\$ -	\$ 1,440	\$ 4,000	\$ -	\$ 980	\$ 3,800	\$ 4,000	\$ 400	\$ -	\$ -
Library Facilities	\$ -	\$ 920	\$ 920	\$ -	\$ -	\$ -	\$ 1,778	\$ -	\$ -	\$ -
Municipal Facilities	\$ -	\$ 1,040	\$ 2,840	\$ -	\$ 2,920	\$ 3,960	\$ 6,400	\$ 3,200	\$ -	\$ -
Parks/Open Space ¹	\$ 16,870	\$ 16,870	\$ 2,440	\$ 330	\$ -	\$ -	\$ 5,600	\$ 5,600	\$ -	\$ -
Police	\$ -	\$ 2,000	\$ 1,200	\$ -	\$ 1,200	\$ -	\$ 1,540	\$ 800	\$ -	\$ -
Sewer	\$ 6,000	\$ 6,000	\$ 10,572	\$ 2,800	\$ 5,428	\$ 5,428	\$ 7,586	\$ 6,028	\$ 20,883	\$ 8,588
Solid Waste ²	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 10,400	\$ -	\$ -	\$ -
Drainage/Flood	\$ -	\$ -	\$ 50,315	\$ 1,250	\$ 12,880	\$ 20,008	\$ 7,650	\$ 22,000	\$ 2,688	\$ 12,508
Transportation ³	\$ 25,000	\$ 18,314	\$ 41,240	\$ 1,500	\$ 47,040	\$ 15,560	\$ 16,083	\$ 2,800	\$ 16,900	\$ 3,258
Water ⁴	\$ 23,290	\$ 23,290	\$ -	\$ 11,377	\$ 14,061	\$ 6,781	\$ 3,148	\$ 21,293	\$ 25,950	\$ 13,500
TOTAL	\$ 71,160	\$ 69,874	\$ 113,527	\$ 17,257	\$ 84,489	\$ 55,537	\$ 64,165	\$ 62,121	\$ 67,672	\$ 37,853

¹. Water fees based upon 1-1/2" meter size and 300 ft. frontage

². Sewer fees when applicable is based upon 24 fixture units and 300 ft. frontage and/or load factors of .10-office and .01-warehouses x sq. ft. x treatment rate.

³. Propose Colton Traffic/Transportation Fee is based upon ITE trips of 4.88 tpd x KSF x Cost per trip (\$93.82)

⁴. Colton Park fee is based upon \$150 for 1st \$100,000 of building valuation plus 1% of value over \$100,000

Sources: Based upon verbal information and/or and written fee schedules supplied by each jurisdiction as of 08/10/99.

EXHIBIT C

CITY OF COLTON LONG RANGE DEVELOPER IMPACT FEES CALCULATION OF IMPACT FEE PER UNIT OF LAND DEVELOPMENT

ITEM #	LAND USE	% OF REDUCTION (PASS BY)	TRIP RATE (TRIPS / DAY)	UNIT	EXISTING FEE	CALCULATED CHARGES	PROPOSED FEE
1	SINGLE FAMILY RESIDENTIAL	N/A	10.00	DU	\$ 1,281.75	\$ 938.20	940
2	APARTMENT	N/A	6.10	DU	781.87	572.30	570
3	CONDOMINIUM	N/A	5.88	DU	751.11	549.79	550
4	MOBILE HOME	N/A	4.81	DU	616.52	451.27	450
5	RETIREMENT COMMUNITY	N/A	3.30	DU	422.98	309.61	310
6	HOTEL	N/A	8.70	ROOM	1,115.12	816.23	820
7	MOTEL	N/A	10.19	ROOM	1,306.10	956.03	960
8	PARK	N/A	36.55	ACRE	4,684.80	3,429.12	3,430
9	GOLF COURSE	N/A	8.33	ACRE	1,067.70	781.52	780
10	MOVIE THEATER	N/A	220.00	SCREEN	28,198.50	20,640.40	20,640
11	PARK & RIDE FACILITY	N/A	4.18	SPACE	535.77	392.17	390
12	LIGHT INDUSTRIAL	N/A	6.97	KSF	893.38	653.93	650
13	HEAVY INDUSTRIAL	N/A	1.50	KSF	192.26	140.73	140
14	INDUSTRIAL PARK	N/A	6.97	KSF	893.38	653.93	650
15	WAREHOUSE	N/A	4.88	KSF	625.49	457.84	460
16	ELEMENTARY SCHOOL	N/A	10.65	KSF	1,365.06	999.18	1,000
17	HIGH SCHOOL	N/A	10.90	KSF	1,397.11	1,022.64	1,020
18	JUNIOR COLLEGE	N/A	12.87	KSF	1,649.61	1,207.46	1,210
19	CHURCH	N/A	7.70	KSF	986.95	722.41	720

CITY OF COLTON
LONG RANGE DEVELOPER IMPACT FEES
CALCULATION OF IMPACT FEE PER UNIT OF LAND DEVELOPMENT

ITEM #	LAND USE	% OF REDUCTION (PASS BY)	TRIP RATE (TRIPS / DAY)	UNIT	EXISTING FEE	CALCULATED CHARGES	PROPOSED FEE
20	DAY CARE CENTER	50	87.00	KSF	8,587.73	3,142.97	3,140
21	LIBRARY	25	45.50	KSF	5,831.96	1,067.20	1,070
22	HOSPITAL	N/A	16.69	KSF	2,139.24	1,585.86	1,570
23	NURSING HOME	N/A	2.60	BED	333.26	243.93	240
24	GENERAL OFFICE (1 KSF)	N/A	43.38	KSF	5,560.23	4,069.91	4,070
25	GENERAL OFFICE (3 KSF)	N/A	32.96	KSF	4,224.65	3,092.31	3,090
26	GENERAL OFFICE (5 KSF)	N/A	29.01	KSF	3,718.36	2,721.72	2,720
27	GENERAL OFFICE (7 KSF)	N/A	26.67	KSF	3,418.43	2,502.18	2,500
28	GENERAL OFFICE (10 KSF)	N/A	24.39	KSF	3,126.19	2,288.27	2,290
29	GENERAL OFFICE (15 KSF)	N/A	22.04	KSF	2,824.98	2,067.79	2,070
30	BUSINESS PARK	N/A	12.42	KSF	1,591.93	1,165.24	1,170
31	BUILDING MATERIALS + LUMBER	N/A	30.56	KSF	3,917.03	2,857.14	2,870
32	HARDWARE AND PAINT STORE	N/A	51.30	KSF	6,575.38	4,812.97	4,810
33	DISCOUNT STORE	20	71.16	KSF	9,120.93	5,340.98	5,340
34	SHOPPING CENTER (5 KSF)	75	212.02	KSF	27,175.66	4,972.93	4,970
35	SHOPPING CENTER (10 KSF)	75	186.35	KSF	21,321.91	3,901.74	3,900
36	SHOPPING CENTER (15 KSF)	65	144.34	KSF	18,500.78	4,739.69	4,740
37	SHOPPING CENTER (20 KSF)	55	130.52	KSF	16,729.40	5,510.42	5,510
38	SHOPPING CENTER (25 KSF)	50	120.71	KSF	15,472.00	5,662.51	5,660
39	SHOPPING CENTER (30 KSF)	45	113.25	KSF	14,515.82	5,843.81	5,840

CITY OF COLTON
LONG RANGE DEVELOPER IMPACT FEES

CALCULATION OF IMPACT FEE PER UNIT OF LAND DEVELOPMENT

ITEM #	LAND USE	% OF REDUCTION (PASS BY)	TRIP RATE (TRIPS / DAY)	UNIT	EXISTING FEE	CALCULATED CHARGES	PROPOSED FEE
40	QUALITY RESTAURANT	N/A	95.62	KSF	12,256.09	8,971.07	8,970
41	FAST FOOD (1 KSF)	75	632.13	KSF	81,023.26	14,826.61	14,830
42	FAST FOOD (3 KSF)	75	632.08	KSF	81,016.85	14,825.44	14,830
43	FAST FOOD (5 KSF)	65	476.35	KSF	61,056.16	15,641.90	15,640
44	FAST FOOD (7 KSF)	55	409.61	KSF	52,501.76	17,293.32	17,290
45	FAST FOOD (10 KSF)	50	359.55	KSF	46,085.32	16,866.49	16,870
46	FAST FOOD (15 KSF)	45	320.62	KSF	41,055.47	16,544.31	16,540
47	NEW CAR SALES	10	24.04	EMPLOYEE	3,081.33	2,029.89	2,030
48	SERVICE STATION	58	133.00	PUMP	17,047.28	5,240.79	5,240
49	CARWASH	N/A	108.00	STALL	13,842.90	10,132.56	10,130
50	SUPERMARKET	45	125.50	KSF	16,085.96	6,475.93	6,480
51	CONVENIENCE MARKET	75	887.06	KSF	113,696.92	20,805.89	20,810
52	CLOTHING STORE	N/A	33.33	KSF	4,272.07	3,127.02	3,130
53	FURNITURE STORE	N/A	4.35	KSF	557.56	408.12	410
54	BANK (1KSF)	50	295.89	KSF	37,925.70	13,880.20	13,880
55	BANK (3 KSF)	50	232.36	KSF	29,782.74	10,900.01	10,900
56	BANK (5 KSF)	50	207.66	KSF	26,616.82	9,741.33	9,740
57	BANK (7 KSF)	50	192.85	KSF	24,718.55	9,046.59	9,050
58	BANK (10 KSF)	50	178.29	KSF	22,852.32	8,363.58	8,360

CITY OF COLTON
LONG RANGE DEVELOPER IMPACT FEES

CALCULATION OF IMPACT FEE PER UNIT OF LAND DEVELOPMENT						
ITEM #	LAND USE	% OF REDUCTION (PASS BY)	TRIP RATE (TRIPS / DAY)	UNIT	EXISTING FEE	PROPOSED FEE
59	BANK (15 KSF)	50	163.08	KSF	20,902.78	7,650
60	INSURANCE OFFICE	N/A	11.45	KSF	1,487.60	1,070
					931,338.77	317,119.81
					7,650.08	

CITY OF COLTON
LONG RANGE DEVELOPER IMPACT FEES

SUMMARY OF PROJECTS		TRIPS GENERATED PASS BY REDUCTION THROUGH 2010 THROUGH 2010	
PROJECT COST TO NEW DEVELOPMENT (2000 \$'s)			
STREET WIDENINGS	\$ 4,070,475		
STRUCTURE WIDENINGS	1,140,090		
NEW STRUCTURES	3,370,860		
STREET EXTENSIONS	473,897		
STREET REALIGNMENTS	-		
NEW SIGNALS	3,679,980		
SIGNAL MODIFICATIONS	439,200		
TOTAL	\$ 13,174,502	191,415	140,416
			93.82

Figure 5.5 Shopping Center (820)

Average Pass-By Trip Percentage vs: 1,000 Sq. Feet Gross Leasable Area
 On a: Weekday, P.M. Peak Period
 Number of Studies: 100
 Average 1,000 Sq. Feet GLA: 329

Data Plot

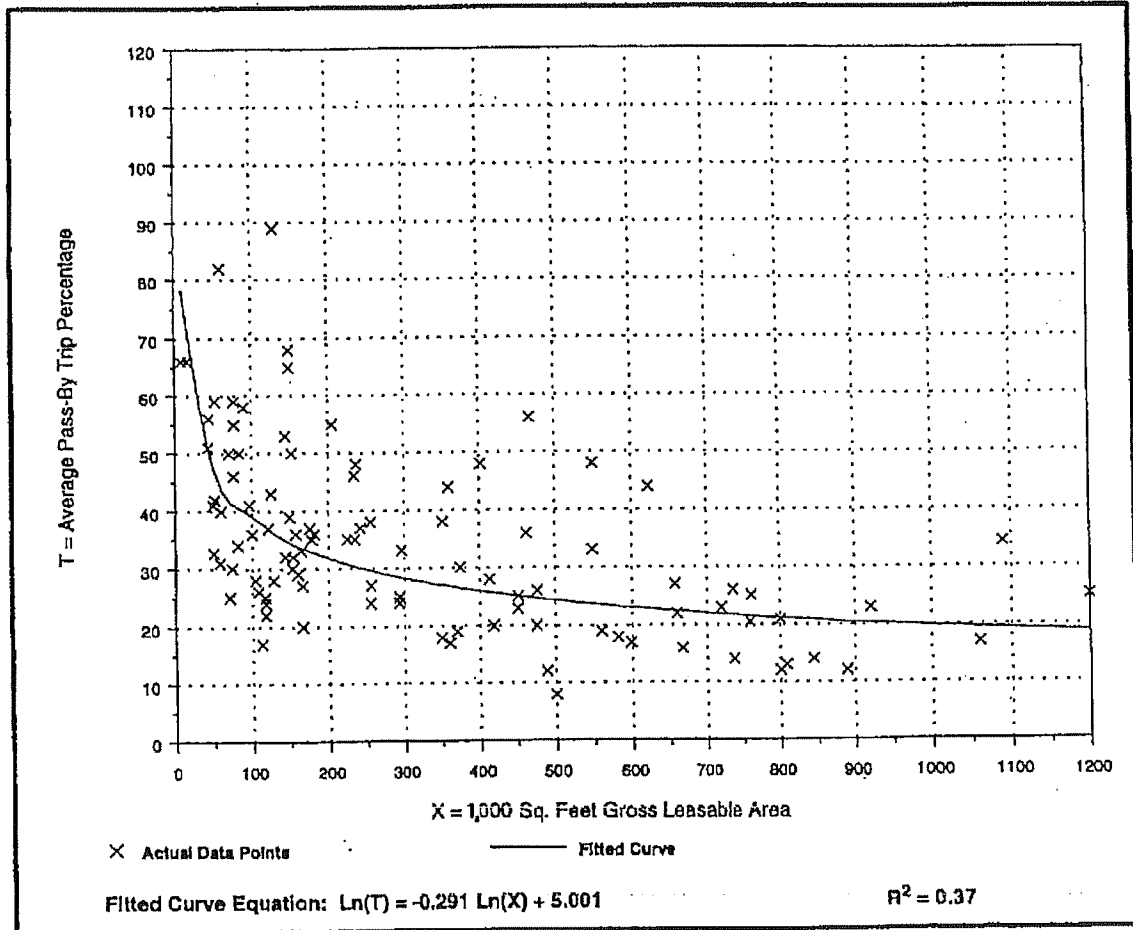


EXHIBIT D

CITY OF COLTON LONG RANGE DEVELOPER IMPACT FEES

ITEM #	LOCATION	PROJECT DESCRIPTION	STREET WIDENING			NET COSTS TO COLTON
			TOTAL PROJECT COST	ADJUSTED TO 2000 DOLLARS	OTHER FUNDING SOURCES	
1	PEPPER AVENUE	I-10 W/B RAMPS - SAN BERNARDINO	\$ 293,760	\$ 358,387		\$ 358,387
2	RANCHO AVENUE	"K" STREET - "H" STREET	33,660	41,065		41,065
3	MILL STREET	2000' W/O RANCHO - E. CITY LIMITS	2,796,500	3,411,730	2,699,971	511,760
4	FAIRWAY DRIVE	MT. VERNON - E. CITY LIMITS	353,280	431,002	366,351	64,650
5	SAN BERNARDINO AVENUE	PEPPER - MERIDIAN	71,280	86,962		86,962
6	PEPPER AVENUE	I-10 E/B RAMPS - SLOVER	163,200	199,104		199,104
7	PEPPER AVENUE	SAN BERNARDINO - RANDALL	45,000	54,900		54,900
8	LA CADENA DRIVE	OAK - "H" STREET	180,800	220,332		220,332
9	IOWA AVENUE	LA CADENA - S. CITY LIMITS	254,400	310,368	310,368	-
10	MT. VERNON AVENUE	VALLEY - 500' N/O COOLEY	192,000	234,240		234,240
11	WASHINGTON STREET	BLUFF - COOLEY	111,000	135,420		135,420
12	WASHINGTON STREET	HUNTS - WATERMAN	121,500	149,230	149,230	-
13	BARTON ROAD	W. CITY LIMITS - 2000' W/O I-215	346,104	422,247		422,247
14	BARTON ROAD	1000' S/O HILL TOP - WASHINGTON	432,000	527,040		527,040
15	RANDALL AVENUE	EUCALYPTUS - PEPPER	87,120	106,286	56,286	50,000
16	RECHE CANYON ROAD	WASHINGTON - S. CITY LIMITS	1,400,000	1,708,000	854,000	854,000
17	FOGG STREET	RANCHO - 8th	254,400	310,368		310,368
	TOTAL		\$ 7,135,804	\$ 8,705,681	\$ 4,635,206	\$ 4,070,475

¹ PUBLIC CONTRIBUTIONS (GRANTS)

² PRIVATE CONTRIBUTIONS (DEVELOPERS)

³ ASSOCIATED WITH HOSPITAL MOU

CITY OF COLTON
LONG RANGE DEVELOPER IMPACT FEES

STRUCTURE WIDENINGS

ITEM #	LOCATION	PROJECT DESCRIPTION	TOTAL PROJECT COST	ADJUSTED TO 2000 DOLLARS	OTHER FUNDING SOURCES	NET COSTS TO COLTON
18	IOWA AVENUE	I-215 INTERCHANGE OVERCROSSING	\$ 960,000	\$ 1,171,200	\$ 995,520	\$ 175,680
19	WASHINGTON STREET	I-215 INTERCHANGE OVERCROSSING	420,000	512,400		512,400
20	PEPPER AVENUE	I-10 INTERCHANGE OVERCROSSING	5,000,000	6,100,000	6,100,000	-
21	PEPPER AVENUE	S.P.R.R. OVERCROSSING	704,000	858,880	730,048	128,832
22	RANCHO AVENUE	I-10 INTERCHANGE OVERCROSSING	300,000	366,000	311,100	54,900
23	RANCHO AVENUE	S.P.R.R. OVERCROSSING	210,000	256,200	217,770	38,430
24	FAIRWAY DRIVE	WARM CREEK OVERCROSSING	864,000	1,054,080	895,968	158,112
25	BARTON ROAD	A.T.&S.F.-U.P.R.R. OVERCROSSING	120,000	146,400	124,440	21,960
26	BARTON ROAD	S.P.R.R. OVERCROSSING	272,000	331,840	282,064	49,776
	TOTAL		\$ 8,850,000	\$ 10,797,000	\$ 9,656,910	\$ 1,140,090

CITY OF COLTON
LONG RANGE DEVELOPER IMPACT FEES

NEW STRUCTURES

ITEM #	LOCATION	PROJECT DESCRIPTION	TOTAL PROJECT COST	ADJUSTED TO 2000 DOLLARS	OTHER FUNDING SOURCES	NET COSTS TO COLTON
27	WASHINGTON STREET	A.T.&S.F. OVERCROSSING + LA CADENA OVERCROSSING	\$ 2,022,400	\$ 2,467,328	\$ 2,467,328	\$ -
28	MILL STREET	LYTLE CREEK OVERCROSSING (DUPLICATE EXISTING STRUCTURE)	5,280,000	6,441,600	5,475,360	966,240
29	LA CADENA DRIVE	A.T.&S.F. UNDERCROSSING	4,100,000	5,002,000	4,251,700	750,300
30	FOGG STREET	A.T.&S.F. UNDERCROSSING	4,000,000	4,880,000	4,148,000	732,000
31	MT. VERNON DRIVE	SANTA ANA RIVER OVERCROSSING (DUPLICATE EXISTING STRUCTURE)	3,200,000	3,904,000	3,318,400	585,600
32	MT. VERNON DRIVE	S.P.R.R. OVERCROSSING (DUPLICATE EXISTING STRUCTURE)	1,200,000	1,464,000	1,244,400	219,600
33	WASHINGTON STREET	S.P.R.R. OVERCROSSING	640,000	780,800	663,680	117,120
	TOTAL		\$ 20,442,400	\$ 24,939,728	\$ 21,568,868	\$ 3,370,860

CITY OF COLTON
LONG RANGE DEVELOPER IMPACT FEES

STREET EXTENSIONS						
ITEM #	LOCATION	PROJECT DESCRIPTION	TOTAL PROJECT COST	ADJUSTED TO 2000 DOLLARS	OTHER FUNDING SOURCES	NET COSTS TO COLTON
34	EUCALYPTUS AVENUE	2000' S/O SAN BERNARDINO	\$ 283,680	\$ 346,090	\$ 346,090	² \$ -
35	PEPPER AVENUE	SLOVER- SANTA ANA RIVER	506,880	618,394	309,197	² 309,197
36	SANTA ANA AVENUE	W. CITY LIMITS - PEPPER	324,000	395,280	395,280	² -
37	FOGG STREET	8th - CONGRESS	900,000	1,098,000	933,300	¹ 164,700
38	WASHINGTON STREET	RIVERSIDE - LA CADENA	1,418,880	1,731,034	1,731,034	² -
39	WASHINGTON STREET	LA CADENA - WEST TERMINUS	449,664	548,590	548,590	² -
40	BARTON ROAD	LA CADENA - WASHINGTON (WEST- ERLY TO PROPOSED EXTENSION)	1,452,000	1,771,440	1,771,440	² -
TOTAL			\$ 5,335,104	\$ 6,508,827	\$ 6,034,930	\$ 473,897

CITY OF COLTON
LONG RANGE DEVELOPER IMPACT FEES

ITEM #	LOCATION	PROJECT DESCRIPTION	STREET REALIGNMENTS			
			TOTAL PROJECT COST	ADJUSTED TO 2000 DOLLARS	OTHER FUNDING SOURCES	NET COSTS TO COLTON
41	AGUA MANSA ROAD	3400' W/O RANCHO - RANCHO	\$ 1,496,000	\$ 1,825,120	\$ 1,825,120 ²	\$ -
42	VALLEY BOULEVARD	EUCALYPTUS - MERIDIAN	2,000,000	2,440,000	2,440,000 ³	-
TOTAL			\$ 3,496,000	\$ 4,265,120	\$ 4,265,120	\$ -

CITY OF COLTON
LONG RANGE DEVELOPER IMPACT FEES
SIGNALIZATION (NEW SIGNALS)

ITEM #	INTERSECTIONS	INIT COST (LUMP SUM)	ADJUSTED TO 2000 DOLLARS	OTHER FUNDING SOURCES	NET COSTS TO COLTON
43	RANDALL AVENUE @ PEPPER AVENUE	\$ 120,000	\$ 148,400	\$ 148,400	\$ -
44	PEPPER AVENUE @ I-10 WB	120,000	148,400	148,400	-
45	PEPPER AVENUE @ I-10 EB	120,000	148,400	148,400	-
46	RANCHO AVENUE @ JOHNSTON STREET	98,000	119,560		119,560
47	RANCHO AVENUE @ CITRUS STREET	98,000	119,560		119,560
48	RANCHO AVENUE @ LAUREL STREET	98,000	119,560		119,560
49	RANCHO AVENUE @ OLIVE STREET	98,000	119,560		119,560
50	PENNSYLVANIA AVENUE @ OLIVE STREET	98,000	119,560		119,560
51	PENNSYLVANIA AVENUE @ "C" STREET	98,000	119,560		119,560
52	PENNSYLVANIA AVENUE @ "F" STREET	98,000	119,560		119,560
53	PENNSYLVANIA AVENUE @ "H" STREET	98,000	119,560		119,560
54	PENNSYLVANIA AVENUE @ VALLEY BLVD.	123,000	150,040		150,040
55	LA CADENA DRIVE @ FOGG STREET	123,000	150,040		150,040
56	FOGG STREET @ IGA MANS ROAD @ RANCHO AVENUE	148,000	180,580		180,580
57	RANCHO AVENUE @ LA CADENA DRIVE	148,000	180,580		180,580
58	LA CADENA @ I215 SB OFF RAMP	98,000	119,560		119,560
59	LA CADENA @ I215 NB OFF RAMP	98,000	119,560		119,560
60	9TH STREET @ "F" STREET	98,000	119,560		119,560
61	9TH STREET @ I10 WB	98,000	119,560		119,560
62	9TH STREET @ I10 EB	98,000	119,560		119,560
63	MT. VERNON AVENUE @ LAUREL STREET	98,000	119,560		119,560
64	VALLEY BOULEVARD @ 1061 STREET	123,000	150,040		150,040
65	MT. VERNON AVENUE @ "F" STREET	98,000	119,560		119,560
66	MT. VERNON AVENUE @ I10 EB OFF RAMP - MISSION STREET	205,000	253,100	180,100	70,000
67	HANTS LANE @ COOLEY LANE	123,000	150,040		150,040
68	WASHINGTON STREET @ I215 NB ON-RAMP	164,000	200,080		200,080
69	OLIVE STREET @ MERIDIAN AVENUE	98,000	119,560	119,560	-
70	VALLEY BOULEVARD @ MERIDIAN AVENUE	120,000	146,400		146,400
71	GLOVER AVENUE @ PEPPER AVENUE	123,000	150,040	139,080	-
72	FAIRWAY STREET @ SPERRY DRIVE	98,000	119,560		119,560
73	FAIRWAY DRIVE @ AUTO CENTER DRIVE	98,000	119,560		119,560
74	WASHINGTON STREET @ SANTO ANTONIO DRIVE - RV EXPO DRIVE	123,000	150,040		150,040
75	LA CADENA @ LA LOMA	98,000	119,560		119,560
TOTAL		\$ 3,745,000	\$ 4,568,800	\$ 968,820	\$ 5,673,960

CITY OF COLTON
LONG RANGE DEVELOPER IMPACT FEES

SIGNALIZATION (MODIFICATIONS)

ITEM #	INTERSECTION	DESCRIPTION	UNIT COST (LUMP SUM)	ADJUSTED TO 2000 DOLLARS	OTHER FUNDING SOURCE	NET COSTS TO COLTON
76	VALLEY BLVD. @ PEPPER AVE.	ADD LEFT-TURN PHASING FOR EAST-WEST DIRECTION	\$ 30,000	\$ 36,600	\$ 36,600	\$ -
77	MILL STREET @ RANCHO AVENUE	ADD LEFT-TURN PHASING FOR EAST-WEST & NORTH-SOUTH DIR.	60,000	73,200		73,200
78	VALLEY BLVD. @ RANCHO AVENUE	ADD LEFT-TURN PHASING FOR EAST-WEST DIR., ADD SPLIT- PHASING TO NORTH-SOUTH DIR	60,000	73,200		73,200
79	VALLEY BLVD. @ LA CADENA DRIVE	ADD LEFT-TURN PHASING FOR NORTH-SOUTH DIRECTION	30,000	36,600		36,600
80	VALLEY BLVD. @ MT VERNON AVE.	ADD LEFT-TURN PHASING FOR EAST-WEST DIRECTION	30,000	36,600		36,600
81	REDLANDS/STEEL ROAD @ HUNT'S LANE	ADD LEFT-TURN PHASING FOR NORTH-SOUTH DIRECTION	60,000	73,200		73,200
82	WASHINGTON @ RECHE CANYON ROAD	ADD LEFT-TURN PHASING FOR NORTH-SOUTH DIRECTION	60,000	73,200		73,200
83	WASHINGTON @ HUNT'S LANE	ADD LEFT-TURN PHASING FOR EAST-WEST DIR., ADD SPLIT- PHASING TO NORTH-SOUTH DIR	60,000	73,200		73,200
	TOTAL		\$ 390,000	\$ 475,800	\$ 36,600	\$ 439,200

CITY OF COLTON
LONG RANGE DEVELOPER IMPACT FEES

SUMMARY OF PROJECTS		TRIPS GENERATED PASS BY REDUCTION THROUGH 2010 THROUGH 2010	
PROJECT COST TO NEW DEVELOPMENT (2000 \$'s)			
STREET WIDENINGS	\$ 4,070,475		
STRUCTURE WIDENINGS	1,140,090		
NEW STRUCTURES	3,370,860		
STREET EXTENSIONS	473,897		
STREET REALIGNMENTS	-		
NEW SIGNALS	3,679,980		
SIGNAL MODIFICATIONS	439,200		
TOTAL	\$ 13,174,502	191,415	140,416
			93.82

APPENDIX C

ORDINANCE O-14-06
with Staff Report

**CITY OF COLTON
AGENDA REPORT
FOR THE CITY COUNCIL MEETING OF SEPTEMBER 5, 2006**

TO:	HONORABLE MAYOR AND CITY COUNCIL MEMBERS
FROM:	AMER JAKHER, P.E., PW DIRECTOR / CITY ENGINEER
SUBJECT:	ADOPTION OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLTON ADOPTING THE SAN BERNARDINO ASSOCIATION OF GOVERNMENTS (SANBAG) DEVELOPMENT MITIGATION NEXUS STUDY AND ADDENDUM AND ADOPTING TRAFFIC MITIGATION FEES TO FUND REGIONAL TRANSPORTATION IMPROVEMENTS; AND ADOPTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COLTON TO AMEND THE TRAFFIC IMPACT FEES DESCRIBED IN EXHIBIT "A" AND EXHIBIT "B" OF ORDINANCE NO. O-02-00, ADOPTED BY THE CITY OF COLTON ON MARCH 21, 2000;
DATE:	August 7, 2006

BACKGROUND:

On October 5, 2005, the San Bernardino Association of Governments (SANBAG), acting as the San Bernardino County Congestion Management Agency, approved a Development Mitigation Nexus Study ("SANBAG Nexus Study"). The SANBAG Nexus Study identifies needed regional transportation improvements in Colton and the region, including freeway interchanges, railroad grade separations, and regional arterial highways. It also identifies the costs of these improvements and each jurisdiction's fair share costs according to the amount of development left. These regional transportation improvements are needed to mitigate the traffic impacts of new development in the region and in the City of Colton. A copy of the SANBAG Nexus Study is attached.

SANBAG is requiring that local agencies use the SANBAG Nexus Study as a basis to calculate each city's fair share transportation/traffic fees. Adoption of these fees is required prior to November 1st of this year in order for local agencies to receive their second allotment of Measure I Funds for the next twenty years (2010-2030.) Pursuant to the California Mitigation Fee Act (AB 1600), local agencies are granted the authority to impose development impact fees to mitigate the impacts of new development. Under the Mitigation Fee Act the local agency's must: (1) identify the purpose of the fee; (2) identify the use to which the fee is to be put; (3) determine how there is a

reasonable relationship between the fee's use and the type of development project; and (4) determine how there is a reasonable relationship between the need for the public facility - in this case regional traffic improvements - and the type of development project. (See California Govt. Code § 66001(a).) Therefore, the SANBAG Nexus Study has been supplemented by the City of Colton Addendum to the SANBAG Nexus Study ("City Addendum"). Together, the SANBAG Nexus Study and City Addendum contain the information and data that form the basis for identifying fair share contributions from new development in Colton to pay for regional transportation improvements. Accordingly, the SANBAG Nexus Study and City Addendum (the "Nexus Studies") contain the data to support the City's fair share traffic impact fees and comply with SANBAG's mandate that the City adopt fees to pay for its fair share of the regional traffic improvements.

It should be noted that the City of Colton already has a traffic mitigation fee that it imposes on new development. This fee is established in Exhibits A and B of Ordinance No. O-02-00 which was adopted by the City Council on March 21, 2000. The City's traffic impact fees have not been updated since their adoption. As a result, staff is also proposing to amend the City Traffic Mitigation Fee to (1) delete improvements that are now identified in the SANBAG Nexus Study; and (2) update the fee in accordance with changes to the Construction Cost Index.

ANALYSIS/DISCUSSION:

SANBAG Traffic Mitigation Fees

The calculation of fair share development contributions for regional transportation improvements requires an estimate of projected growth for residential and non-residential development in the City. SANBAG has determined that the City of Colton's fair share of projects, including a 24% escalator determined by Caltrans to reflect rising rate of construction costs, for Fiscal Year 2006 is \$42,200,000. This produces a cost per trip value of \$278. A list of the projects, the future growth fair share calculation and the per-trip cost are attached.

The following table shows the proposed SANBAG Traffic fees based on calculations of fair share contribution by future growth. Fee per trip calculations were determined by dividing the fair share cost by the total number of trips. The total number of trips without pass by reduction is 128,394; with pass-by reduction, the trips number 151,986. An in-depth explanation of the fee-table calculations may be found in Exhibit D ("City Addendum" of this agenda report.)

Land Use Category	Quantity	Parameter	Trips/Unit	Total Trips	Proposed Fee "A"	Total Trips	Proposed Fee "B"
					Max Fee Without Retail Pass-By Reduction		Max Fee with Retail Pass-By Reduction
SFDU	3,510	Units	9.57	33591	\$ 2,660	33591	\$ 3,149
MFDU	1,308	Units	5.86	7665	\$ 1,629	7665	\$ 1,928
Retail	1,221	KSF	38.66	47185	\$ 10,747	23592	\$ 6,360
Office	89	KSF	9.21	820	\$ 2,560	820	\$ 3,030
Industrial	13,346	KSF	4.7	62726	\$ 1,307	62726	\$ 1,546
				Total Trips: 151986		Total Trips 128394	
					Cost per trip without pass-by reduction: \$42,000,000/128394 = \$ 278/ trip	Cost per trip with pass-by reduction: \$42,000,000/151986= \$ 329 / trip	

The table above shows fees for five distinct land uses. The fees are based on trips generated by each land use. Under "Proposed fee A" column the fees do not account for pass by traffic captured by retail establishments. The pass-by trips are the trips that are on their way to other destinations but are using the trip to visit retail establishments. These trips are normally accounted for in other categories, allowing reduced number of trips in retail increases fee for other categories. Compensating retail development for pass-by trip will encourage more businesses to locate in the City. Staff recommends adopting fees in the column titled "Proposed Fee B" in the table above.

Below is a table reflecting other local jurisdiction's fee-per-square foot for the same five distinct land uses reflected in the table above.

	SFDU	MFDU	RETAIL	OFFICE	IND./WAREHSE.
Colton	\$3,149	\$1,928	\$6.36	\$3.03	\$1.55
Apple Valley	\$5,301	\$3,539	\$7.15	\$7.15	\$1.96
Fontana	\$3,580	\$2,177	\$5.45	\$4.36	\$2.36
Grand Terrace	\$3,619	\$2,216	\$8.12	\$4.16	\$2.64
Montclair	\$2,214	\$1,555	\$3.39	\$0.68	\$1.61
Ontario (New Model Colony)	\$5,678	\$3,736	\$9.58	\$6.39	\$3.01
Rancho Cucamonga	\$3,658	\$2,195	\$5.49	\$4.39	\$2.20
San Bernardino	\$1,844	\$1,235	\$1.99	\$1.99	\$1.21

Revised City Traffic Impact Fees

In 1997, the City Council commissioned Topping Jacques Consulting to compose a city-wide Capital Infrastructure Study. Section 11 of this Study directly relates to traffic fees, which are based on a document prepared by the traffic engineering firm Mohle, Grover and Associates in 1993. The fees established in 1993 were revised and updated by City staff in 1999. The City Council approved and adopted the traffic fees presented in the Study in 2000 via City Ordinance 0-02-00. The City of Colton's current traffic fees have not been updated since 2000.

The current level of traffic fees is insufficient to support the traffic infrastructure needs of new development and growth the City is experiencing. Accordingly, City staff has updated the traffic fees to bring them to 2006 dollars, making the fees current and adequate to sustain anticipated levels of development and growth in the City.

The methodology Staff used required taking each category of traffic impact fee and adding to it, for each year from 2000 to 2005, an increase that equaled the cost of construction index as reflected in the Engineering News-Record (ENR). The ENR is a highly respected public works industry publication that publishes industry standard Construction Cost Indices nationwide. The ENR Construction Cost Index has ranged from 0.5% to just over 3% over the last five years; these are the "escalators" staff added to the existing traffic fees.

Despite the use of the ENR escalators, the revised fees are still less than the original amount justified and recommended by the Mohle-Grover and City studies.

ENVIRONMENTAL IMPACT:

Staff recommends that the City Council find that approval of the Nexus Studies and adoption the proposed fees are exempt from the requirements of the California Environmental Quality Act (Public Resources Code §§ 21000 et seq.) ("CEQA") pursuant to Section 15061(b)(3) of the CEQA Guidelines. This proposed resolution and ordinance amendment merely establishes authority for the collection of development impact fees to fund transportation improvements. At such time as the improvements are built, each project will be required to comply with CEQA.

CONFLICT OF INTEREST:

None.

FINANCIAL/FISCAL IMPACT:

Adopting the resolution and ordinance would allow the City to collect fees to fund transportation and traffic improvements that are caused by the impacts of new development. Increasing the traffic impact fees would not only allow the City to continue to provide the level of transportation services that new residents would expect, but would be able to more effectively work toward regional project delivery that would have real and immediate local benefit and relief. Not

adopting the resolution would result in the City of Colton not receiving the next appropriation of Measure I Funds, on which the City relies heavily to fund projects severely needed city-wide. Further, not adopting the amendments to the City's Traffic Mitigation fees likely means that we are subsidizing new development.

RECOMMENDATION:

Staff respectfully recommends that the City Council:

1. Hold a joint public hearing on the adoption of the SANBAG Traffic Mitigation Fees and Revised City Traffic Fees; and
2. Adopt a resolution of the City Council of the City of Colton adopting the San Bernardino Association of Governments (SANBAG) development mitigation Nexus Study and City Addendum and adopting traffic mitigation fees to fund regional transportation improvements; and
3. Waive further reading, read by title only and introduce an ordinance of the City Council of the City of Colton to amend the traffic impact fees described in Exhibit "A" and Exhibit "B" of Ordinance 0-02-00, adopted by the City of Colton on March 21, 2000.

Attachments:

Exhibit "A": SANBAG Nexus Study and City of Colton Addendum

Exhibit "B": Colton Fair Share Cost Spreadsheet based on Nexus Studies

- **Table 1:** Colton Circulation Improvement Cost Estimates
- **Table 2:** Future Development Trip Generation Analysis
- **Table 3:** Colton Proposed Circulation Fees
- **Table 4:** Colton Proposed Circulation Fees: Arterial, Interchange, and Railroad Crossings Improvements

Exhibit "C": Resolution

Exhibit "D" Ordinance

Report prepared by Amanda Rhinehart, Project Manager - Engineering Division, Public Works

REVIEW TEAM ONLY

City Attorney: M. Martinez

City Manager: [Signature]

Finance Director: [Signature]

OTHER: _____



San Bernardino Associated Governments

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•San Bernardino County Transportation Commission •San Bernardino County Transportation Authority
•San Bernardino County Congestion Management Agency •Service Authority for Freeway Emergencies

Development Mitigation Nexus Study

Appendix K of the SANBAG Congestion Management Program (Approved by the SANBAG Board of Directors, Acting as the San Bernardino County Congestion Management Agency, on October 5, 2005)

**prepared by the
San Bernardino Associated Governments
(SANBAG)**

September 28, 2005

SANBAGNexusStudy05-09-28.doc

*Cities of: Adelanto, Barstow, Big Bear Lake, Chino, Chino Hills, Colton, Fontana, Grand Terrace, Hesperia, Highland, Loma Linda, Montclair
Needles, Ontario, Rancho Cucamonga, Redlands, Rialto, San Bernardino, Twentynine Palms, Upland, Victorville, Yucaipa*

Towns of: Apple Valley, Yucca Valley

County of San Bernardino

Preface to the SANBAG Development Mitigation Nexus Study

This report presents the SANBAG Development Mitigation Nexus Study as approved by the San Bernardino Associated Governments (SANBAG), acting as the San Bernardino County Congestion Management Agency (CMA), on October 5, 2005. The Nexus Study has been incorporated into the SANBAG Congestion Management Program (CMP) as Appendix K. SANBAG serves as the Congestion Management Agency responsible for implementing and maintaining the CMP.

The requirements of the SANBAG Development Mitigation Program are included in Chapter 4 of the CMP ("Land Use/Transportation Analysis Program") and in CMP Appendix J. Chapter 4 and Appendix J were approved by the CMA on November 2, 2005, along with other revisions to the CMP. Appendix J of the CMP (also in the review process) provides the specific requirements local jurisdictions must follow in implementing their development mitigation program for regional transportation facilities.

Background

The first draft Nexus Study was prepared in early 2004 at the direction of the SANBAG Board of Directors to support the development of Measure I 2010-2040. Measure I 2010-2040 was overwhelmingly approved by the voters of San Bernardino County on November 2, 2004. The development contribution requirements of Measure I 2010-2040 are included in Section VIII of the ordinance as follows:

"SECTION VIII. CONTRIBUTIONS FROM NEW DEVELOPMENT. No revenue generated from the tax shall be used to replace the fair share contributions required from new development. Each local jurisdiction identified in the Development Mitigation Program must adopt a development financing mechanism within 24 months of voter approval of the Measure 'I' that would:

"1) Require all future development to pay its fair share for needed transportation facilities as a result of the development, pursuant to California Government Code 66000 et seq. and as determined by the Congestion Management Agency.

"2) Comply with the Land Use/Transportation Analysis and Deficiency Plan provisions of the Congestion Management Program pursuant to California Government Code Section 65089.

"The Congestion Management Agency shall require fair share mitigation for regional transportation facilities through a Congestion Management Program update to be approved within 12 months of voter approval of Measure 'I'."

The requirements of the SANBAG Development Mitigation Program are included in Chapter 4 of the CMP ("Land Use/Transportation Analysis Program"). Appendix J of the CMP provides the

SANBAG Development Mitigation Nexus Study
September 28, 2005
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specific requirements local jurisdictions must follow in implementing their development mitigation program for regional transportation facilities.

The San Bernardino County CMP implements the Land Use/Transportation Analysis Program with two distinct approaches, depending on geographic location within the County. The first approach addresses the cities and associated spheres of influence in the San Bernardino Valley and Victor Valley, to which the Nexus Study and related development mitigation requirements apply. The second approach applies to all other areas of the County. These two approaches are summarized below:

1. For San Bernardino Valley and Victor Valley cities and sphere areas: local jurisdictions implement development mitigation programs that generate development contributions for regional transportation improvements equal to or greater than fair share contributions determined through the SANBAG Development Mitigation Nexus Study. Regional transportation facilities addressed by the Nexus Study include freeway interchanges, railroad grade separations, and regional arterial highways on the Nexus Study Network. Local jurisdiction development mitigation programs must comply with requirements established in Appendix J of the CMP. Each local jurisdiction must have an adopted and compliant development mitigation program designed to achieve the required contribution levels in place by November 2006.
2. For areas outside the San Bernardino Valley and Victor Valley cities and spheres: local jurisdictions must prepare Traffic Impact Analysis (TIA) reports for proposed development projects exceeding specified thresholds of trip generation. This is a continuation of a requirement established when the CMP was originally approved by the SANBAG Board in 1992. TIA reports must comply with requirements contained in Appendix C of the CMP.

At their discretion, jurisdictions outside the Valley and Victor Valley may adopt Approach 1, in coordination with and subject to the approval of SANBAG. However, an amendment to the Nexus Study will be required for this to occur.

Overview of the Nexus Study

The SANBAG Nexus Study shall be used as the basis for identifying fair share contributions from new development for regional transportation improvements (freeway interchanges, railroad grade separations, and regional arterial highways). The Nexus Study will be updated periodically in close coordination with local jurisdictions.

The Nexus Study identifies a Nexus Study Network, representing regional roadways in the urbanized areas of San Bernardino County. Roadway improvement projects must be located on this network for their costs to be included in the Nexus Study. In addition, projects must be included in the Nexus Study to receive SANBAG Measure I 2010-2040 Valley Interchange and Major Street Funds (31% of Valley subarea expenditure plan funds) and Victor Valley Major Local Highway Projects Funds (25% of Victor Valley subarea expenditure plan funds) or SANBAG allocations of state or federal transportation funds included in the Measure I 2010-2040 Expenditure Plan. A local jurisdiction may wish to identify other local or non-regional

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improvements as part of its overall development mitigation program, but these are not included in the Nexus Study.

The Nexus Study identifies specific improvement projects on the Nexus Study Network and includes an estimate of costs for those projects. The cost estimates have been provided by local jurisdictions using the most recently available data. Costs may include planning, project development (including Project Study Reports, Project Reports, and environmental documents), design, construction, construction management, project management, right-of-way, and mitigation of impacts. Only those project phases for which costs are included in the Nexus Study are eligible for Measure I or other transportation funding allocated by SANBAG. The Nexus Study also includes an estimate of growth in dwelling units and employment expected over the planning period of the Nexus Study (2004 to 2030). These estimates have been prepared by local jurisdictions in conjunction with SANBAG and SCAG.

The methodology employed by the Nexus Study for calculating fair share development contributions was developed in early 2004 by the Nexus Study Task Force, consisting of staff representatives from local jurisdictions and from the private sector (principally the Building Industry Association and the National Association of Industrial and Office Properties). Individual meetings were also held with local jurisdictions and private entities, including representatives of the retail development industry. The implementation requirements contained in Chapter 4 and Appendix J of the CMP were developed in early 2005 by a working group of representatives from both local jurisdictions and the private sector. Chapter 4 and Appendix J were also reviewed by the SANBAG Comprehensive Transportation Plan Technical Advisory Committee (CTP TAC).

The Nexus Study provides an estimate of development contributions that represent a minimum fair share for regional transportation improvements for each local jurisdiction and for each jurisdiction's sphere area, based on the estimates of project costs and the growth data provided by those jurisdictions. San Bernardino County has provided the estimates of project costs and growth in dwelling units/employment for sphere areas, unless otherwise specified. The Nexus Study calculates fair share development contributions for each local jurisdiction and for the jurisdiction's sphere area.

The Nexus Study does not dictate how local jurisdictions must implement their development mitigation programs to achieve the development contribution levels specified in this report. Local jurisdictions have substantial flexibility in their program approach. In addition, the SANBAG Nexus Study does not dictate per-unit contribution levels (or development fees) by land use type. Each jurisdiction must develop its own schedule of fees or other per-unit mitigation levels that can be demonstrated to achieve the development contribution levels specified in this Nexus Study. Appendix J of the CMP also indicates that cities and the County may make arrangements to combine the required development contribution levels for each jurisdiction and its sphere and to develop a unified development mitigation program for the city and the sphere. For example, if a city is using a development impact fee (DIF) program to meet the SANBAG requirements, a common fee structure for the city and sphere could be established. The city and County would need to establish the appropriate legal agreements and administrative processes to manage such a joint program. The information in the SANBAG Nexus Study allows for either separate or joint

city/County programs. If a joint program is pursued, the city and County would add the development contribution levels for the both the city and sphere area.

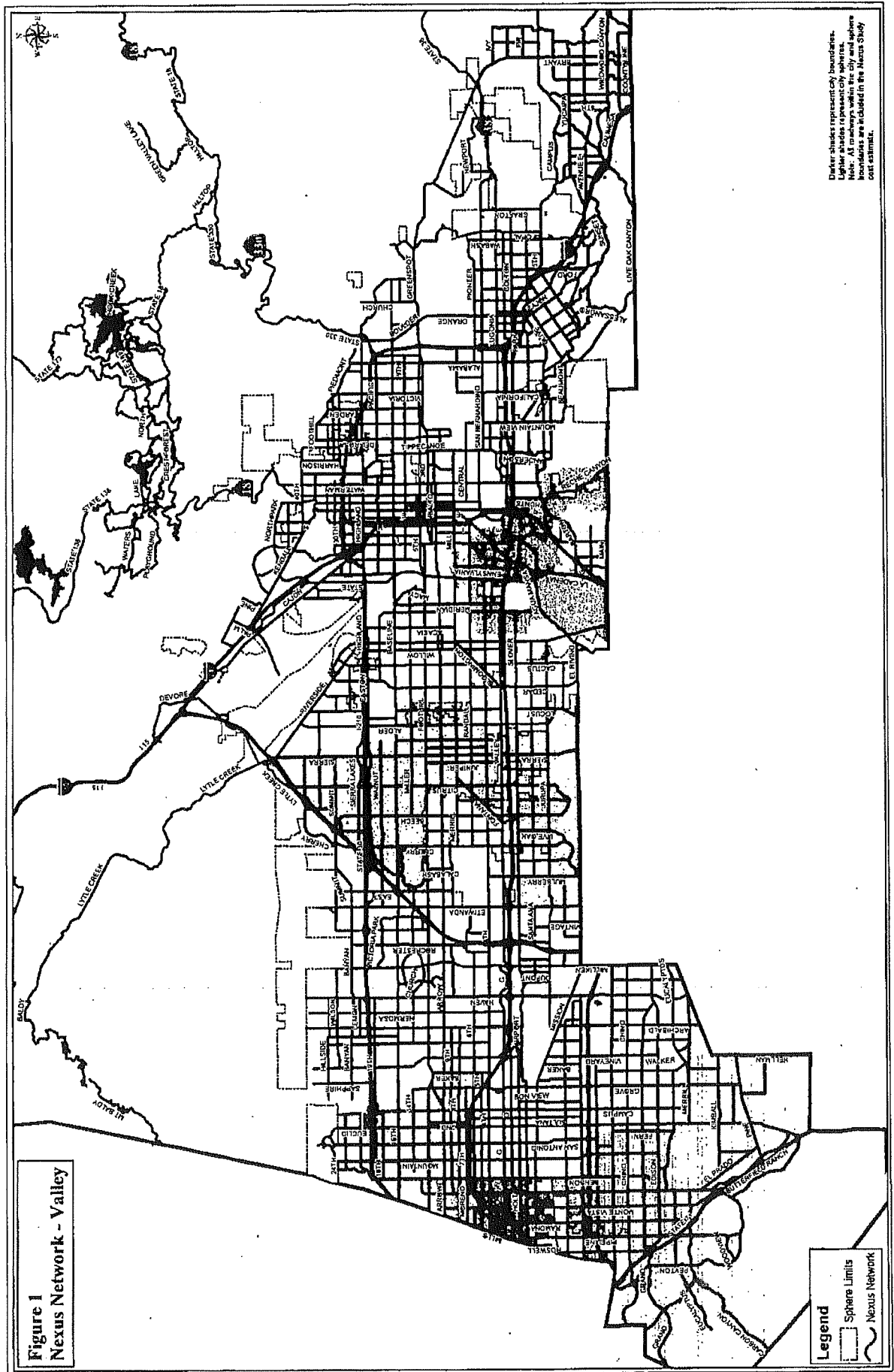
The Regional Transportation System

A "Nexus Study Network" has been defined as a basis for establishing the arterial roadways to be included in the Nexus Study. This network is regional in nature, but should not be confused with other systems, such as the existing Measure I Regional Arterial System in the Victor Valley. The system has been based on a generalized set of criteria involving roadway functional classification, propensity to carry inter-jurisdictional traffic, connection to the freeway system, etc. For example, every roadway that interchanges with a freeway is included on the Nexus Study Network. Figures 1 and 2 show the draft Nexus Study Network in the Valley and Victor Valley, respectively.

A list of interchanges has been compiled for inclusion in the Nexus Study. The list was originally based on the interchanges submitted by SANBAG and local jurisdictions for the 2004 Regional Transportation Plan (RTP) and then modified for the Nexus Study based on local jurisdiction input. The list was distributed to local jurisdictions for review and comment. A list of potential railroad grade crossing projects also has been compiled. Only the grade crossings on the Nexus Study Network are included in the analysis.

Forecast Growth by Jurisdiction

The calculation of fair share development contributions requires an estimate of projected growth for residential and non-residential development. The data set used as the starting point for projection of residential development (single and multi-family dwelling units) and non-residential development (retail and non-retail employment) was the 2030 local input provided as part of the growth forecasting process for the 2004 RTP. This iterative process, well-documented in the 2004 RTP of the Southern California Association of Governments (SCAG), generates an initial forecast for the entire Southern California region by jurisdiction, which is then given to local jurisdictions for review, comment, and possible modification. The "local input" 2030 data set was used for the Nexus Study because it was developed through the direct involvement of and review by each of the local jurisdictions. Each local jurisdiction signed off on its local input data in late 2002. These forecasts have been reviewed and updated by local jurisdictions in early and mid-2005. Three specific review and comment periods were provided to local jurisdictions in 2005 for both the growth forecasts and for the project lists. SANBAG staff was also available to meet with local jurisdictions individually and held such meetings with the majority of jurisdictions. The year 2004 was used as the base year for the analysis of growth forecasts. The 2004 dwelling unit totals by jurisdiction are based on California Department of Finance data. The 2004 employment data (retail and non-retail) was derived by adding one year of growth to the 2003 employment data reviewed by each of the local jurisdictions. The growth was estimated as 1/27th of the projected growth between 2003 and 2030.



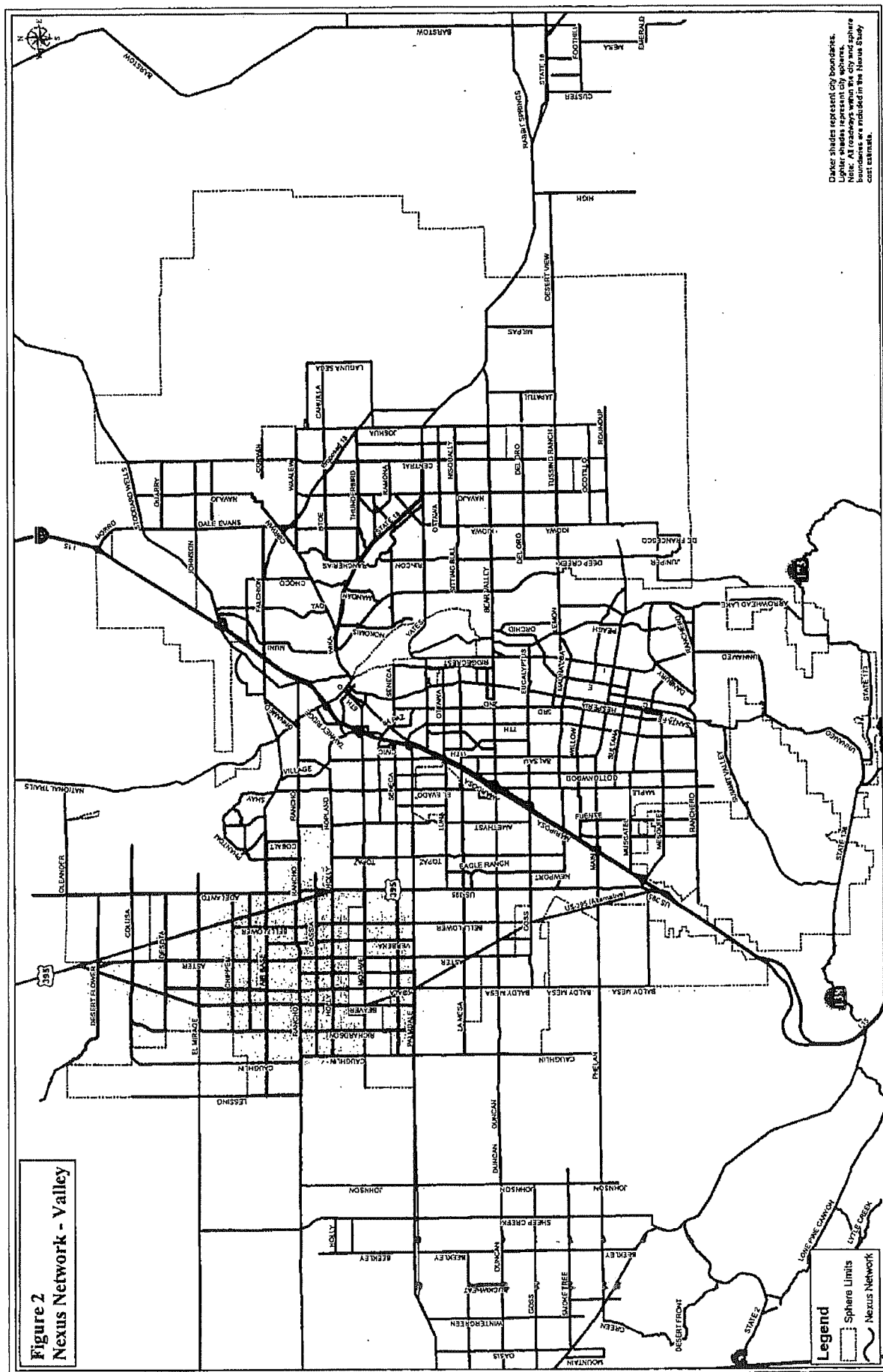


Table 1 presents the 2004 and 2030 estimates of dwelling units and employment by jurisdiction. Table 2 presents the growth estimates for unincorporated areas within each city sphere area. The tables show the projected growth over the entire 26-year period. By way of comparison, 12,640 new residential dwelling units were permitted by local jurisdictions in San Bernardino County in 2003 (California Department of Finance Table 1-6). The projected growth of about 290,000 dwelling units over the next 26 years equates to an average annual rate of about 10,700 units, approximately equivalent to the average number permitted annually in San Bernardino County for 2001 through 2003. The annual rate in the mid-90s was as low as half that rate. Thus, the rate of growth contained in the projections for the Nexus Study would appear consistent with historical trends as well as with regionally accepted projections.

Costs of Arterial, Interchange, and Railroad Grade Crossing Improvements

Cost estimates for many of the proposed improvements were available through jurisdiction submissions as part of the 2004 Regional Transportation Plan. This served as an initial foundation for the estimates of project cost. In other cases, the list was derived from projects contained in existing local jurisdiction development impact fee (DIF) programs. The initial list of projects and costs was again reviewed by each local jurisdiction in early and mid-2005. The cost estimates were generated as follows:

- **For arterials**, the local jurisdiction projects and cost estimates were accepted directly and entered into a database. These included only the arterial projects on the Nexus Study Network. Unless otherwise noted, the costs include right-of-way and construction costs. In some cases, bridges, traffic signals, and other cost items are specified separately. Where these items are not separately identified, the costs are assumed to be included in the overall cost estimate for widening of each facility. The existing number of lanes and the number of lanes after improvement are also identified. In general, curb lanes for roadways in areas yet to be developed are the responsibility of the development project fronting the roadway. The costs were reduced by the amount of federal earmarks for individual arterial projects from the SAFETEA-LU transportation bill, where specifically identified, based on the development mitigation principles adopted by the SANBAG Board.
- **For interchanges**, costs were estimated based on the following basic criteria:
 - Used the most recent Project Study Report (PSR) prepared, if available, or other updated costs from local jurisdictions. If necessary, these costs were updated to 2004. In some cases, PSR cost estimates for one interchange were used to estimate costs for other interchanges where the improvement needs were expected to be similar. For example, the Mountain View/I-10 interchange was viewed to have improvement costs of the same scale as the Tippecanoe/I-10 interchange. The interchange costs were reduced by the amount of federal earmarks, where specifically identified. The interchange cost tables show the costs both without and with the reduction from the earmark.

Table 1. Summary of Growth Data for Cities

Jurisdiction	Single Family 2030	Single Family 2004	Multi-Family 2030	Multi-Family 2004	Retail Empl. 2030	Retail Empl. 2004	Non-Retail Empl. 2030	Non-Retail Empl. 2004	Trip Ends 2030 in PCEs	Trip Ends 2004 in PCEs	Ratio of Trip Growth to 2030 Trips
Adelanto	25,346	3,866	6,354	1,462	886	375	6,448	2,775	326,643	61,704	81%
Apple Valley	25,695	15,870	9,387	4,170	5,136	3,099	19,887	12,207	450,379	265,682	41%
Chino	27,262	13,600	17,501	4,339	34,894	18,371	70,106	38,025	1,095,674	538,883	51%
Chino Hills	20,560	18,949	4,862	2,931	1,163	933	5,823	4,222	271,081	233,956	14%
Cogton	11,979	9,228	13,959	5,541	13,492	7,176	35,003	19,038	509,440	287,549	44%
Fontana	44,107	31,252	11,840	7,741	15,218	8,584	57,230	41,071	901,270	603,499	33%
Grand Terrace	3,563	2,896	2,282	1,345	1,564	575	4,403	1,922	86,208	51,782	40%
Hesperia	43,008	17,808	9,690	3,610	11,008	4,743	37,974	14,833	760,574	312,374	59%
Highland	16,739	13,005	2,674	2,508	8,591	1,377	11,336	5,919	341,729	183,127	46%
Loma Linda	7,148	3,898	5,458	4,003	7,839	4,637	17,585	11,636	271,939	166,335	39%
Montclair	8,000	6,095	2,800	2,373	12,414	10,347	16,536	13,065	325,943	264,245	19%
Ontario	42,132	29,726	26,897	14,442	30,063	10,983	101,403	65,282	1,324,759	736,782	44%
Rancho Cucamonga	36,443	34,856	22,519	12,630	14,108	6,552	79,342	51,751	943,897	673,040	29%
Redlands	19,252	16,525	9,882	7,902	9,345	6,369	30,524	20,803	480,572	369,511	23%
Rialto	34,335	19,474	10,563	7,083	7,181	4,390	27,758	17,403	596,109	354,856	40%
San Bernardino	36,867	35,957	23,077	20,844	25,426	9,498	99,051	69,188	1,171,893	832,031	29%
Upland	19,866	16,091	14,134	10,751	11,552	2,136	37,792	28,505	568,512	344,457	39%
Victorville	34,419	17,886	12,702	8,826	17,500	8,019	61,500	29,011	856,046	436,301	49%
Yucaipa	16,450	11,273	7,398	5,757	2,981	1,806	9,593	6,701	284,692	196,732	31%
Total	546,044	363,694	241,112	142,106	272,432	134,947	844,918	522,140	13,414,298	7,754,387	42%

Table 2. Summary of Growth Data for Spheres of Influence

JURISDICTION	Single Family 2030	Single Family 2004	Multi-Family 2030	Multi-Family 2004	Retail Empl. 2030	Retail Empl. 2004	Non-Retail Empl. 2030	Non-Retail Empl. 2004	Trip Ends 2030 in PCEs	Trip Ends 2004 in PCEs	Ratio of Trip Growth to 2030 Trips
Adelanto Sphere	145	62	50	26	18	2	114	18	2,366	876	63%
Apple Valley Sphere	2,650	1,539	457	325	120	58	1,030	709	34,112	20,367	40%
Chino Sphere	1,837	1,243	513	357	1,078	626	1,200	694	40,865	25,879	37%
Collon Sphere	983	674	299	175	51	22	1,011	518	15,388	9,666	37%
Fontana Sphere	10,992	7,383	3,608	2,519	6,317	3,659	11,598	6,687	258,566	162,740	37%
Hesperia Sphere	3,019	1,657	524	372	134	99	648	456	37,385	21,856	42%
Loma Linda Sphere	1,173	245	281	122	27	9	889	417	16,464	4,558	72%
Montclair Sphere	1,949	1,289	1,160	830	1,155	670	1,744	1,010	49,072	31,108	37%
Redlands Sphere	3,910	2,307	1,233	735	64	30	8,183	6,253	71,052	45,819	36%
Rialto Sphere	9,489	5,805	1,344	876	411	237	7,284	4,579	129,854	79,937	38%
San Bernardino Sphere	8,662	6,838	2,853	2,142	304	229	7,171	5,018	130,151	100,031	23%
Upland Sphere	1,680	1,144	105	72	1,934	1,119	2,420	1,403	52,376	32,110	39%
Victorville Sphere	4,356	3,748	649	392	110	66	1,005	716	52,182	42,919	18%
Yucaipa Sphere	204	123	63	40	1	0	275	165	3,241	1,960	40%
SPCo Non-Sphere	3,635	1,102	338	121	17	12	2,738	1,998	46,334	17,520	62%
Total	54,694	35,173	13,488	9,113	13,353	6,845	52,767	31,039	978,275	598,663	39%

- Where PSRs or updated costs from local jurisdictions were not available, an assessment was made of reconstruction needs for each interchange. Interchanges were classified as to whether the arterial crossed over or under the freeway, whether the bridge would need to be replaced or kept (for underpasses), whether there was involvement with a rail line, and whether right-of-way acquisition would likely be limited or extensive. The following general rules were then applied to assign costs for interchange construction and right-of-way acquisition. The rules were based on recent construction and PSR experience and on input from Caltrans and SANBAG's general engineering consultant:
 - New interchange (arterial crossing over freeway): \$25 million
 - New interchange with railroad involvement - \$30 million
 - Modified underpass, structure replaced - \$40 million
 - Modified underpass, keeping structure, limited ROW, and no unusual geometry - \$18 million
 - Modified underpass, keeping structure, extensive ROW - \$23 million
 - Modified overpass, no railroad involvement, limited ROW - \$21 million
 - Modified overpass, railroad involvement, limited ROW - \$25 million
 - Modified overpass, no railroad involvement, extensive ROW - \$25 million
 - Modified overpass, railroad involvement, extensive ROW - \$30 million
- It should be understood that these planning-level estimates are based on the best available information. Cost estimates may vary from the above general rules depending on other circumstances in the vicinity of each interchange. Local jurisdictions and SANBAG may provide on-going updates to cost estimates as PSRs become available and as right-of-way needs become more defined.
- **For railroad grade crossing projects**, costs were taken directly from local jurisdiction estimates submitted for the 2004 RTP, with updates provided by local jurisdictions in early and mid-2005. Again, costs were reduced based on federal earmarks, where specifically identified.

Table 3 lists the interchange improvements included in the Nexus Study. In this table, "K" means to keep the structure, "R" means replace. A "C" means complex geometry is likely. Railroad involvement is a Yes or No. Right-of-way is Limited or Extensive.

The list of railroad grade crossing improvements is presented in a later section. The arterial project list is provided in Attachment 1 of this report.

Table 3. Interchange Descriptions and Costs (K = keep structure, R = replace structure; RR involvement = Yes/No; L = limited ROW requirements; E = Extensive ROW requirements)

Description	2004 Cost (\$1,000)	Existing Structure (Art. Over/Under)	Struc	RR Inv.	ROW
VALLEY INTERCHANGES (Listed generally west to east)					
In Chino on SR-60 at Mountain Av – Interchange Improvements	\$18,000	Underpass	K	N	L
In Chino on SR-60 at Central Av – Interchange Improvements	\$21,000	Overpass		N	L
In Chino on SR-60 at Ramona Ave. – Interchange Improvements	\$21,000	Overpass		N	L
In Montclair on I-10 at Monte Vista – Interchange Improvements	\$20,000	Underpass	K	N	E
In Ontario on SR-60 at Grove Avenue, Interchange Improvements	\$35,000	Underpass	R	N	E
In Ontario on SR-60 at Vineyard Avenue, Interchange Improvements	\$35,000	Underpass	R	N	E
In Ontario on SR-60 at Archibald Avenue, Widen Ramps	\$5,000	Underpass	K	N	L
In Ontario on SR-60 at Euclid Avenue, Widen Ramps	\$5,000	Underpass	K	N	L
In Ontario on I-10 at 4th St/Grove Av - Interchange Improvements	\$54,500	Underpass	R	N	E
In Ontario on I-10 at Euclid Ave. – Widen EB and WB Ramps	\$6,000		N	N	L
In Rancho Cucamonga on I-15 near 6th St/Arrow Route - New Interchange	\$29,000	Underpass	K	N	L
In Rancho Cucamonga on I-15 at Baseline – Interchange Improvements	\$18,000	Underpass	K	N	L
In Fontana on I-15 at Duncan Canyon Rd - New Interchange	\$18,000			N	
In Fontana on I-15 at Sierra Av – Interchange Improvements	\$10,000	Underpass	R	N	E
In Fontana on I-10 at Alder Av – New Interchange	\$27,000			Y	E
In Fontana on I-10 at Citrus Av – Interchange Improvements (includes half of Cypress OC)	\$38,000	Overpass		Y	L
In Fontana on I-10 at Cherry Av – Interchange Improvements (includes half of Mulberry OC)	\$35,000	Overpass		Y	E
In Fontana on I-10 at Beech Av – New Interchange (includes half of Poplar OC)	\$33,000			Y	E
In Highland on SR-30 (SR-210) at 5 th Street – Interchange Improvements	\$14,000	Underpass	K	N	L
In Highland on SR-30 (SR-210) at Base Line - Interchange Improvements	\$14,000	Underpass	K	N	L
In Rialto on I-10 at Riverside Av – Interchange Improvements	\$40,000	Overpass	R	Y	L
In Colton on I-10 at Mount Vernon – Interchange Improvements	\$25,000	Overpass		Y	L
Near Colton on I-10 at Pepper Av – Interchange Improvements	\$27,000	Overpass		Y	E

Description	2004 Cost (\$1,000)	Existing Structure (Art. Over/Under)	Struc	RR Inv.	ROW
Near Bloomington on I-10 at Cedar Av - Interchange Improvements	\$27,000	Overpass		Y	E
In San Bernardino on I-215 at Palm Av - Widen Ramps	\$8,000	Underpass	K	N	L
In San Bernardino on I-215 at Pepper-Linden Av - New Interchange	\$40,000			N	E
In San Bernardino on I-215 at University Pkwy - Interchange Improvements	\$23,000	Underpass	K	N	E
In San Bernardino on SR-30 (SR-210) at Del Rosa Av - Interchange Improvements	\$28,800	Underpass	K	N	L
In San Bernardino on SR-30 (SR-210) at Waterman Av - Interchange Improvements	\$40,000	Overpass		N	E
In Redlands on I-10 at University Ave - Interchange Improvements	\$4,000	Underpass	K	N	L
In Redlands on I-10 at Wabash Av - Interchange Improvements	\$21,000	Overpass		N	L
In Loma Linda on I-10 at Mountain View Av - Interchange Improvements	\$40,000	Underpass	K	N	E
In Redlands on I-10 at Alabama St - Interchange Improvements	\$21,000	Overpass		N	L
In Redlands on I-10 at California St - Interchange Improvements	\$35,000	Underpass	K	Y	E
In Loma Linda and San Bernardino on I-10 at Tippecanoe - Interchange Reconfiguration	\$40,000	Underpass	C	N	E
In Yucaipa on I-10 at Oak Glen Road / Live Oak Canyon Road - I/C Improvements	\$11,000	Overpass		N	L
In Yucaipa on I-10 at Wildwood Canyon - New Interchange	\$25,000			N	E
VICTOR VALLEY INTERCHANGES					
In Hesperia on I-15 at Ranchero Rd - New Interchange	\$25,000			N	E
In Hesperia on I-15 at Joshua - Interchange Improvements	\$1,000	Overpass	NA	N	L
In Victorville on I-15 at Mojave St - New Interchange	\$40,000			N	E
In Victorville on I-15 at Bear Valley Rd - Interchange Improvements	\$20,000	Overpass	K	N	L
In Victorville on I-15 at La Mesa Rd/Nisqually Rd - New Interchange	\$51,000			N	E
In Victorville on I-15 at Eucalyptus - New Interchange	\$40,000			N	E
In Victorville/Apple Valley on I-15 at East/West High Desert Corridor - New I/C	\$60,000	Overpass		N	E

Methodology for Estimating Proportion of Costs Attributable to New Development

State law requires that new development not be charged to correct existing transportation deficiencies. An analysis was therefore conducted to estimate the cost of the identified improvements attributable to new development. It is important to note that there are different methodologies that could be used to estimate the proportion of cost attributable to new development. One approach would determine whether new development would require the widening or expansion of an existing facility to meet predetermined performance criteria (e.g. a specified "level of service"). New development could be deemed to be responsible for 100 percent of the cost of improving the facility to a level that would achieve the performance criteria, since that improvement would not be necessary if the development did not occur.

Another approach is to allocate new development's fair share based on the proportion of total traffic that the new growth represents. This would be calculated as a ratio of the estimated growth in traffic (between existing and future years) to the total traffic in the future year. The second approach is more conservative, as new development is held to be responsible for a share of the cost of facility expansion, not 100 percent of the cost. Even though the SANBAG Nexus Study takes the second approach, local jurisdictions may follow the first approach or any alternate approach that is consistent with California law and that achieves the minimum fair share development contribution levels specified in this Nexus Study. The methodology for arterials, interchanges, and railroad crossings involved the following steps:

Methodology for Arterial Project Fair Share:

- Calculate trip growth (2004 to 2030) for each jurisdiction, based on growth data. Trips for each jurisdiction were estimated by applying vehicle trip generation rates per dwelling unit (single and multiple family) and per employee (retail and non-retail) to the previously described 2004 and 2030 dwelling unit and employment data. These are actually defined as "trip ends." The number of trips would be calculated as the number of trip ends divided by two. The trip generation rates are:
 - Single family dwelling unit – 9.57 vehicle trip ends (in and out) per day (based on the Institute of Transportation Engineers report *Trip Generation*)
 - Multi-family dwelling unit – 6.63 vehicle trip ends per day (based on the ITE report *Trip Generation*)
 - Retail – 19.5 vehicle trip ends per employee per day (based on per-employee rates used by SCAG)
 - Non-retail - 1.85 vehicle trip ends per employee per day (based on per-employee rates used by SCAG)
- Calculate total trip ends in passenger car equivalents (PCEs) for each jurisdiction and sphere area.
- Growth's fair share = ratio of growth in trip ends (2004 to 2030) to total 2030 trip ends. These percentages (for each jurisdiction and sphere) were previously illustrated in the last column of Tables 1 and 2. (Note: for the "Donut Hole" in unincorporated San Bernardino County, the ratio of trip growth to 2030 trips was based on trips taken from a January 2005 Traffic Impact Analysis entitled "County of San Bernardino Donut Hole Projects Cumulative Traffic Impact Analysis." The dwelling unit and employment data in the Donut Hole were not adequately up-to-date for calculating this percentage.)

- Multiply fair share by Nexus Study Network arterial improvement cost for each jurisdiction

There is no allocation of arterial project costs to jurisdictions outside the jurisdiction in which the project is located. Each jurisdiction is responsible for the arterial improvements within its own jurisdiction.

Methodology for Interchange Project Fair Share:

- Define “traffic sheds” for each interchange. A traffic shed represents the geographic area around the interchange from which most of the traffic using that interchange is likely to be drawn. In general, traffic will be drawn to an interchange following the roadways that cross the freeway. However, it is not expected that traffic within each traffic shed will exclusively use the interchange with which the traffic shed is associated. Where an arterial crosses the freeway at a perpendicular angle, the traffic shed was extended half way to the adjacent interchanges. Different configurations were required for traffic sheds in which the arterial was not perpendicular to the freeway. Further, the traffic sheds were generally extended laterally (i.e. perpendicular to the freeway) no farther than half way to the next parallel freeway. Traffic sheds used in the analysis are shown in Figures 3 and 4 for the Valley and Victor Valley, respectively. Several “select link” runs were conducted using the RIVSAN CTP model to verify the logic behind the definition of the traffic sheds. The traffic shed approach was accepted by the Nexus Study Task Force and CTP TAC through reviews of the methodology in 2004.
- Calculate the projected growth in trips (2004 to 2030) by jurisdiction within the traffic shed for each interchange. This analysis was conducted using SANBAG’s GIS system, overlaying the traffic sheds on the traffic analysis zones (TAZs) containing the socio-economic data. Trip generation rates used in this analysis are discussed in a subsequent section.
- The fair share attributed to new development = ratio of traffic growth (2030 minus 2004) to total 2030 traffic. It should be noted that this approach will provide a conservatively low estimate of the fair share attributable to growth, compared to the alternate approach discussed earlier for arterials (i.e. assign 100 percent of the cost of the improvement to new development, if it were determined that the improvement would not be needed if no more growth were to occur). For new interchanges, a minimum fair share percentage of 50 percent was applied.
- Allocate the fair share cost among jurisdictions based on the calculations of trip growth within the traffic shed, by jurisdiction. For unincorporated areas, the fair share cost was estimated for each city sphere area.
- Multiply fair share by interchange improvement cost

Figure 3
Traffic Sheds
Valley

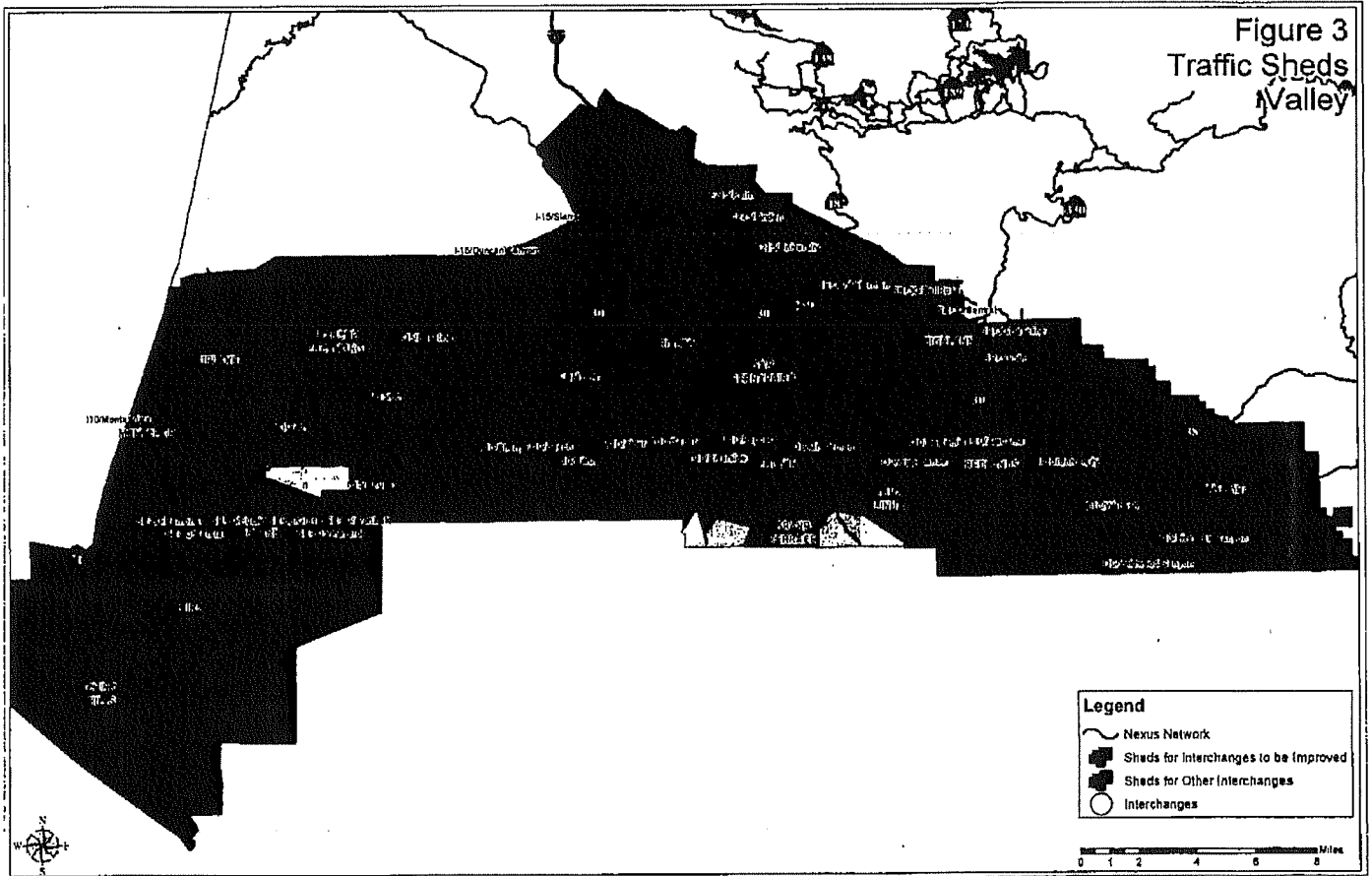
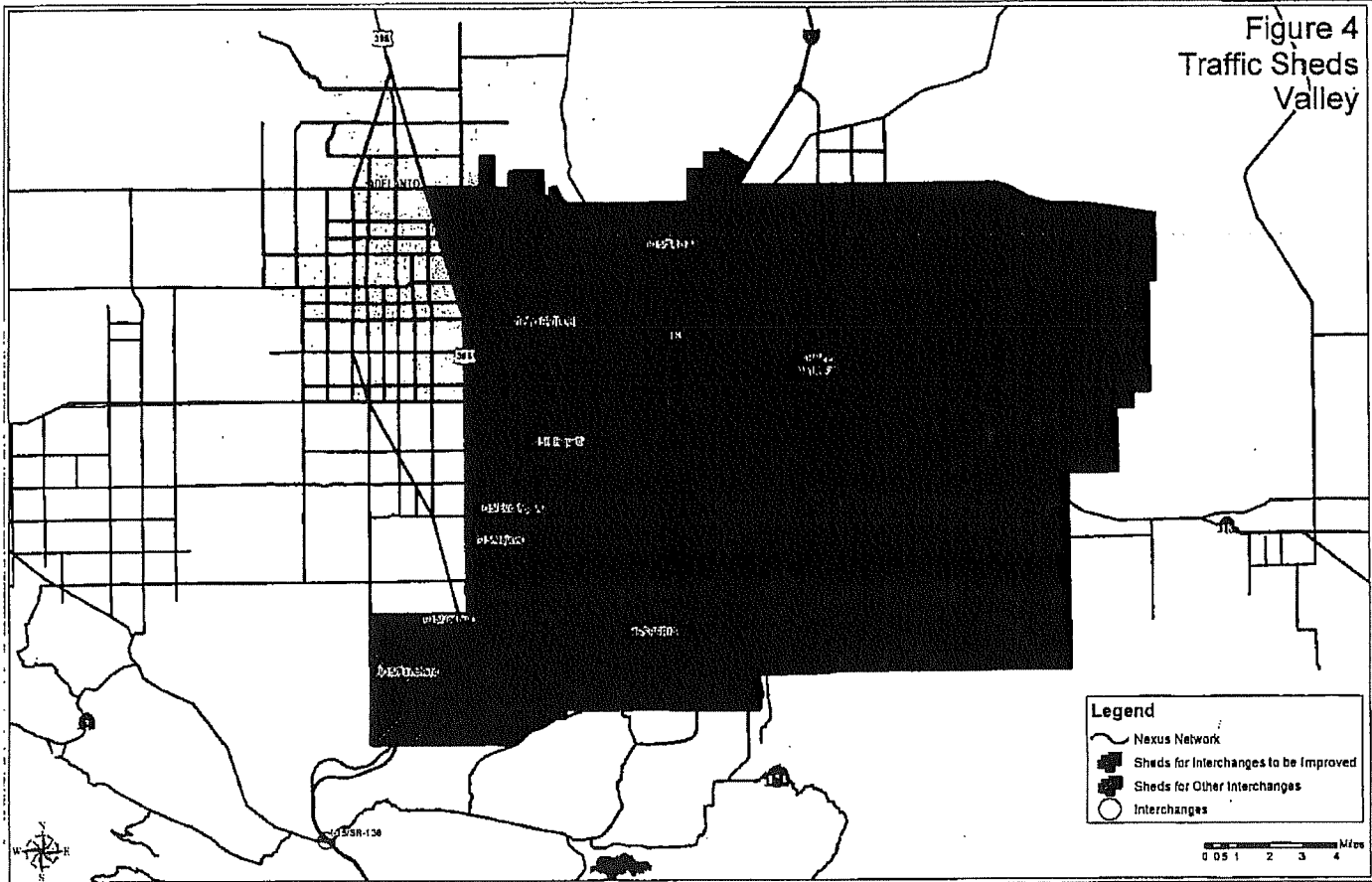


Figure 4
Traffic Sheds
Valley



- Calculate jurisdiction-level total fair share interchange costs. Table 4 shows the calculations of percent responsibility by jurisdiction and jurisdiction sphere area. Table 5 shows the fair share dollar allocation for jurisdictions and spheres. For example, the fair share allocation of interchange cost could be allocated as follows:
 - Interchange cost = \$20 million
 - Ratio of growth (2030 trips within the traffic shed minus 2004 trips) to 2030 trips = 25%
 - Fair share cost = \$5 million (\$20 million X 25%)
 - 80% of "traffic shed" trips from Jurisdiction X = \$4 million
 - 20% of trips from Jurisdiction Y = \$1 million

Methodology for Railroad Grade Crossing Project Fair Share:

- The ratio of trip growth to 2030 trips by jurisdiction (same as for the arterial analysis) was applied to the railroad grade crossing project cost
- An assessment was made of the proportion of the growth in traffic delays attributable to train growth versus traffic growth. The fair share allocated to new development was reduced by the percentage of train growth. Growth in train volume was based on forecasts prepared for the Inland Empire Rail Mainline Study by Robert Leachman & Associates. Fair share costs are not assessed to new development for the proportion attributable to train growth.
- Only costs for railroad crossing projects on the Nexus Study network were included in the fair share calculation. Individual jurisdictions may include other projects in their own DIF programs. Table 6 lists the railroad grade separation projects on the Nexus Study Network, their costs, ratio of train growth to 2030 train volume, ratio of traffic growth to 2030 traffic volume (at a jurisdictional level), and fair share cost for the railroad grade crossing projects.

Estimated Development Contribution Levels by Jurisdiction and Sphere Area

Table 7 summarizes the jurisdiction-by-jurisdiction costs and fair share amounts for regional arterials, interchanges, and railroad grade crossing projects. Table 8 breaks down the fair share amounts by sphere area. Some of these costs are already accounted for in local DIF programs or other local development mitigation programs. Each jurisdiction is responsible for implementing a development mitigation program by November 2006 that is designed to achieve these fair share mitigation levels. Provisions for submission of these programs to SANBAG are contained in Appendix J of the CMP. Jurisdictions may develop such programs prior to November 2006. If such programs are found by SANBAG to be compliant with the Nexus Study and provisions of the CMP, the requirement for preparing CMP TIA reports will be waived.

[illegible]

Table 8. Estimates of Development's Fair Share of Interchange Costs, by Jurisdiction and Sphere

[illegible]

Table 6. Railroad Grade Crossing Projects on Nexus Study Network

Description	2004 Cost Est (\$1000s)	Federal Earmarks	Location	Ratio Train Growth to 2030	Ratio Trip Growth to 2030	Cost Alloc. to Devel. (\$1000s)
Grade Separation at Olive St in Colton on the San Bernardino Line	\$17,100		Colton	55%	44%	\$3,352
Widen Mount Vernon grade separation in Colton on the Alhambra Line	\$3,700		Colton	55%	44%	\$725
In Fontana on Citrus Avenue At Santa Fe Railroad Construct Undercrossing For Existing 4 Lanes	\$16,000		Fontana	55%	33%	\$2,379
Grade Separation at Main St in Grand Terrace on the San Bernardino Line	\$18,100		G. Terr.	55%	40%	\$3,253
In Hesperia on Ranchero Road 7Th Avenue To Danbury Realign Road And Construct Railroad Undercrossing	\$16,140	(\$4,000)	Hesperia	55%	59%	\$3,219
Grade Separation at Eucalyptus Rd in Hesperia on the BNSF Line	\$12,000		Hesperia	55%	59%	\$3,182
Grade Separation at Beaumont Av in Loma Linda on the Yuma Line	\$16,300		L. Linda	55%	39%	\$2,848
Grade Separation at Monte Vista Av in Montclair at the UPRR Crossing	\$15,200	(\$1,600)	Montclair	55%	19%	\$1,158
Widen Central Av grade separation in Montclair on the Alhambra and Los Angeles Lines	\$3,100		Montclair	55%	19%	\$264
Grade Separation at Archibald Av in Ontario on the Los Angeles Line	\$21,000		Ontario	55%	44%	\$4,194
Grade Separation at Milliken Av in Ontario on the Alhambra Line	\$36,000		Ontario	55%	44%	\$7,190
Grade Separation at Milliken Av in Ontario on the Los Angeles Line	\$16,000		Ontario	55%	44%	\$3,196
Grade Separation at Vineyard Av in Ontario on the Alhambra Line	\$17,800		Ontario	55%	44%	\$3,555
Grade Separation at Haven Av in Rancho Cucamonga at Metrolink Crossing	\$15,910		Rancho	55%	29%	\$2,054
Railroad crossing safety improvements at San Timoteo Rd in Redlands on the Yuma Line	\$1,300		Redlands	55%	23%	\$135
Grade Separation at Palm Av in San Bernardino on the Cajon Line	\$18,000		S. Bern.	55%	29%	\$2,349
Grade Separation at Rialto Av in San Bernardino on the San Bernardino Line	\$17,100		S. Bern.	55%	29%	\$2,232
Grade Separation at State/University Pkwy in San Bernardino on the Cajon Line	\$16,400	(\$1,600)	S. Bern.	55%	29%	\$1,931
Grade Separation at Valley Bl in Colton on the San Bernardino Line	\$19,000		Colton	55%	44%	\$3,724
Grade Separation at Hunts Ln in San Bern./Colton on the Yuma Line	\$14,000	(\$5,000)	S. Bern./Colton	55%	36%	\$1,469
Grade Separation at Glen Helen Pkwy in San Bernardino Co. on Cajon Line	\$25,000		County	55%	33%	\$3,713

**Table 7. Summary of Fair Share Costs for Arterial, Interchange, and RR Grade Crossing
Project Costs for Cities (through year 2030)**

Jurisdiction	Ratio of Trip Growth to 2030 Trips	Total Art. Cost (\$Mill)	Devel. Share Of Total Art. Cost (\$Mill)	Devel. Share Of Interchg Cost (\$Mill)	Devel. Share Of RR Grade Sep. Cost (\$Mill)	Devel. Share of Total Cost (\$Mill)
Adelanto	81%	\$89.42	\$74.34	\$6.88	\$0.00	\$81.22
Apple Valley	41%	\$140.39	\$59.01	\$22.99	\$0.00	\$82.00
Chino	51%	\$91.89	\$47.86	\$21.54	\$0.00	\$69.40
Chino Hills	14%	\$20.77	\$2.92	\$0.00	\$0.00	\$2.92
Colton	44%	\$36.48	\$16.29	\$12.31	\$8.54	\$37.13
Fontana	33%	\$182.94	\$61.95	\$43.06	\$2.38	\$107.39
Grand Terrace	40%	\$18.89	\$7.73	\$0.00	\$3.25	\$10.98
Hesperia	59%	\$142.65	\$86.16	\$44.22	\$6.40	\$136.78
Highland	46%	\$96.18	\$45.76	\$14.20	\$0.00	\$59.96
Loma Linda	39%	\$54.41	\$21.66	\$23.84	\$2.85	\$48.35
Montclair	19%	\$6.02	\$1.17	\$4.12	\$1.42	\$6.71
Ontario	44%	\$180.24	\$82.00	\$51.46	\$18.14	\$151.59
Rancho Cucamonga	29%	\$60.04	\$17.66	\$19.80	\$2.05	\$39.51
Redlands	23%	\$58.22	\$13.79	\$8.52	\$0.14	\$22.45
Rialto	40%	\$67.91	\$28.17	\$13.18	\$0.00	\$41.35
San Bernardino	29%	\$94.69	\$28.15	\$46.69	\$7.25	\$82.09
Upland	39%	\$20.22	\$8.17	\$2.00	\$0.00	\$10.17
Victorville	49%	\$82.93	\$41.68	\$45.79	\$0.00	\$87.47
Yucaipa	31%	\$88.29	\$27.96	\$16.53	\$0.00	\$44.49
Total	42%	\$1,799.65	\$778.65	\$479.26	\$56.12	\$1,314.03

Table 8. Summary of Fair Share Costs for Arterial, Interchange, and RR Grade Crossing Project Costs for Sphere Areas (through 2030)

JURISDICTION	Ratio of Trip Growth to 2030 Trips	Total Art. Cost (\$Mill)	Devel. Share Of Total Art. Cost (\$Mill)	Devel. Share Of Interchg Cost (\$Mill)	Devel. Share Of RR Grade Sep. Cost (\$Mill)	Devel. Share of Total Cost (\$Mill)
Adelanto Sphere	63%	\$1.93	\$1.24	\$0.00	\$0.00	\$1.24
Apple Valley Sphere	40%	\$13.77	\$5.69	\$8.32	\$0.00	\$14.01
Chino Sphere	37%	\$21.40	\$8.04	\$1.21	\$0.00	\$9.25
Colton Sphere	37%	\$6.53	\$2.49	\$0.20	\$0.00	\$2.69
Fontana Sphere	37%	\$61.34	\$23.30	\$29.84	\$0.00	\$53.14
Hesperia Sphere	42%	\$19.12	\$8.14	\$0.75	\$0.00	\$8.89
Loma Linda Sphere	72%	\$0.70	\$0.52	\$4.67	\$0.00	\$5.19
Montclair Sphere	37%	\$12.78	\$4.79	\$2.27	\$0.00	\$7.06
Redlands Sphere	36%	\$18.40	\$6.70	\$6.58	\$0.00	\$13.28
Rialto Sphere	38%	\$30.63	\$12.07	\$11.35	\$0.00	\$23.42
San Bernardino Sphere	23%	\$10.03	\$2.38	\$4.25	\$0.00	\$6.63
Upland Sphere	39%	\$12.60	\$5.00	\$1.17	\$0.00	\$6.17
Victorville Sphere	18%	\$23.75	\$4.32	\$0.40	\$0.00	\$4.72
Yucaipa Sphere	40%	\$1.40	\$0.57	\$0.00	\$0.00	\$0.57
SBCo Non-Sphere	62%	\$14.63	\$9.32	\$0.00	\$3.71	\$13.04
SBCo Donut Hole	62%	\$18.10	\$11.50	\$11.12	\$0.00	\$22.62
Total	39%	\$267.08	\$106.07	\$82.13	\$3.71	\$191.91

Several special circumstances need to be noted. First, Ontario International Airport, which is expected to undergo a major expansion through year 2030, will develop its own mitigation program in conjunction with the City of Ontario. Los Angeles World Airports (LAWA) is preparing an Environmental Impact Report and associated Traffic Impact Analysis report for its updated master plan. That TIA, to be prepared in accordance with CMP guidelines, will provide the basis for mitigation of traffic impacts in the vicinity of the airport. This will result in an agreement between the City of Ontario and LAWA governing the transportation improvements that will be funded as part of the airport expansion. These commitments may be considered a part of the City of Ontario's development mitigation program, subject to the provisions of Chapter 4 and Appendix J of the CMP. Transportation impact mitigation committed to outside the City of Ontario may be considered part of the development mitigation program for the appropriate jurisdiction. Mitigation for San Bernardino International Airport/IVDA and for Southern California Logistics Airport may be handled in the same way.

EXHIBIT 'B'

TABLE 1

Street	From	To	Estimated Cost	2006 Escalated cost (24.1%)	Local Growth Component	Chargeable Cost
Washington St.	Barton Road	Waterman Ave.	\$ 1,359,000.00	\$ 1,686,519.00	0.44	\$ 742,068.36
Washington St.	Barton Road	I-215	\$ 1,400,000.00	\$ 1,737,400.00	0.44	\$ 764,456.00
Washington St.	Waterman Ave.	Hunts Lane	\$ 1,520,000.00	\$ 1,886,320.00	0.44	\$ 829,980.80
Washington St.	Waterman Ave.	Hunts Lane	\$ 570,000.00	\$ 707,370.00	0.44	\$ 311,242.80
Washington Street Extension	Western City Limits	La Cadena Drive	\$ 3,000,000.00	\$ 3,723,000.00	0.44	\$ 1,638,120.00
Barton Road	Southern City Limits	Washington Street	\$ 2,991,000.00	\$ 3,711,831.00	0.44	\$ 1,633,205.64
Reche Canyon Road	Washington Street	City Limits	\$ 1,801,000.00	\$ 2,235,041.00	0.44	\$ 983,418.04
Reche Canyon Road	Washington Street	City Limits	\$ 5,549,000.00	\$ 6,886,309.00	0.44	\$ 3,029,975.96
Hunts Lane	Washington Street	Reche Canyon Road	\$ 3,010,000.00	\$ 3,735,410.00	0.44	\$ 1,643,580.40
La Cadena Drive	Rancho Avenue	Southern City Limits	\$ 2,125,000.00	\$ 2,637,125.00	0.44	\$ 1,160,335.00
Mill Street	Bordwell	Rancho Avenue	\$ 4,721,000.00	\$ 5,858,761.00	0.44	\$ 2,577,854.84
Mt. Vernon Avenue	La Cadena Drive	I-10	\$ 2,004,000.00	\$ 2,486,964.00	0.44	\$ 1,094,264.16
Valley Blvd.	Sycamore Avenue	Mount Vernon Avenue	\$ 3,491,000.00	\$ 4,332,331.00	0.44	\$ 1,906,225.64
Fairway Drive	Sperry Drive	City Limits	\$ 1,222,000.00	\$ 1,516,502.00	0.44	\$ 667,260.88
Riverside Avenue	County Line	Northern City Limits	\$ 1,276,000.00	\$ 1,583,516.00	0.44	\$ 696,747.04
San Bernardino Avenue	Pepper Avenue	Meridian Avenue	\$ 441,000.00	\$ 547,281.00	0.44	\$ 240,803.64
Riverside at I-10 Interchange Improvements			\$ 38,000,000.00	\$ 47,158,000.00	7.12	\$ 3,357,649.60
Mount Vernon at I-10 Interchange Improvements			\$ 25,000,000.00	\$ 31,025,000.00	5.1	\$ 1,582,275.00
Pepper at I-10 Interchange Improvements			\$ 21,000,000.00	\$ 26,061,000.00	30.94	\$ 8,063,273.40
R.R. Olive Street Grade Separation			\$ 17,100,000.00	\$ 21,221,100.00	Nexus Table 3	\$ 2,941,000.00
R.R. Mount Vernon Grade Separation Widening			\$ 3,700,000.00	\$ 4,591,700.00	Nexus Table 3	\$ 636,000.00
R.R. Valley Blvd. Grade Separation			\$ 19,000,000.00	\$ 23,579,000.00	Nexus Table 3	\$ 3,268,000.00
R.R. Hunts Lane Grade Separation			\$ 14,000,000.00	\$ 17,374,000.00	Nexus Table 3	\$ 2,432,000.00
TOTALS			\$ 174,280,000.00	\$ 216,281,480.00		\$ 42,199,737
						\$42,200,000

TABLE 2

CITY OF COLTON

LAND USE/ZONING	NO. OF PARCELS	TOTAL AREA (ACRES)	BUILDABLE AREA	UNIT
SINGLE FAMILY				
GENERAL PLAN	248	729.41	2,276.00	DU
WEST VALLEY	38	33.68	204.00	DU
RECHE CANYON	148		1,030	DU
		TOTAL	3,510	DU
MULTIPLE FAMILY				
GENERAL PLAN	331	117.64	1,308.00	DU
		TOTAL	1,308.00	DU
INDUSTRIAL				
GENERAL PLAN	215	495.78	10,798,088.40	S.F.
SANTA ANA	12	37.9	825,462.00	S.F.
COOLEY	7	16.41	357,409.80	S.F.
AGUA MANSA	100	782.01	17,032,177.80	S.F.
		TOTAL	29,013,138.00	S.F.
			*Assuming 1/2 lot coverage: 13,346 KSF	
RETAIL				
GENERAL PLAN	211	68.45	1,490,841.00	S.F.
WEST VALLEY	39	21.49	468,052.20	S.F.
COOLEY	12	22.14	482,209.20	S.F.
		TOTAL	2,441,102.40	S.F.
			*Assuming 1/2 lot coverage: 1,221 KSF	
OFFICE				
GENERAL PLAN	18	3.13	68,171.40	
COOLEY	2	2.32	50,529.60	
		TOTAL	118,701.00	S.F.
			*Assuming 3/4 lot coverage: 89 KSF	

TABLE 3

Exhibit B: Colton Proposed Circulation Fees

Land Use Category	Quantity	Parameter	Trips/Unit	Total Trips	Max Fee Without Retail Pass-By Reduction	Total Trips	Max Fee with Retail Pass-By Reduction
SFDU	3,510	Units	9.57	33591	\$ 2,660	33591	\$ 3,149
MFDU	1,308	Units	5.86	7665	\$ 1,629	7665	\$ 1,928
Retail	1,221	KSF	38.66	47185	\$ 10,747	23592	\$ 6,360
Office	89	KSF	9.21	820	\$ 2,560	820	\$ 3,030
Industrial	13,346	KSF	4.7	62726	\$ 1,307	62726	\$ 1,546
				151986		128394	
				\$ 278		\$ 329	

TABLE 4

Exhibit B: Colton Proposed Circulation Fees
Arterial, Interchange and Railroad Crossings Improvements

Land Use Category	Parameter	Trips/Unit	Max Fee With Retail Pass-By Reduction
SFDU	Units	9.57	\$3,149
MFDU	Units	5.86	\$1,928
Retail	KSF	38.66	\$6,360
Office	KSF	9.21	\$3,030
Industrial	KSF	4.7	\$1,546

EXHIBIT 'C'

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RESOLUTION NO. ____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLTON
ADOPTING THE SAN BERNARDINO ASSOCIATION OF GOVERNMENTS (SANBAG)
DEVELOPMENT MITIGATION NEXUS STUDY AND ADOPTING TRAFFIC
MITIGATION FEES TO FUND REGIONAL TRANSPORTATION IMPROVEMENTS**

WHEREAS, the City Council of the City of Colton (the "City Council") recognizes the need to finance adequate regional roadway infrastructure and related roadway improvements and facilities made necessary by new development in the City of Colton ("City") and its sphere of influence; and

WHEREAS, the City is a member of the San Bernardino Association of Governments ("SANBAG"), a joint powers agency that has prepared preliminary plans to increase the capacity of the regional roadway system to benefit member agencies, including the City; and

WHEREAS, SANBAG has commissioned a preliminary study ("Nexus Study") to assess the impact of anticipated future development on the roadway system in San Bernardino County, analyzing the need for new and upgraded roadway facilities and infrastructure generated by the impacts of new development and analyzing necessary development mitigation requirements to pay for the improvements ("SANBAG Traffic Mitigation Requirements"); and

WHEREAS, on November 2, 2004, the voters of San Bernardino County approved Measure "I" which extended the half-cent sales tax for thirty years to provide funding for various transportation improvements throughout San Bernardino County, including the acquisition, construction, operation, and maintenance of streets, roads, and highways; and

WHEREAS, pursuant to Government Code Section 66000 et seq., the City is empowered to impose new and increase existing development fees and other exactions to provide necessary public facilities, including traffic improvements, required to mitigate the impacts of new development; and

WHEREAS, it is fair and equitable for new development to pay its fair share and contribute to the financing, acquisition and establishment such facilities to enable the City to provide necessary traffic improvements to new residents, businesses and their employees; and

WHEREAS, the SANBAG Nexus Study complies with California Government Code, Section 66001 by establishing the basis for the imposition of the SANBAG Traffic Mitigation Requirements. In particular, the SANBAG Nexus Study:

1. Identifies the purpose of the development mitigation requirements;
 2. Identifies the use to which the revenue will be put;
 3. Demonstrates a reasonable relationship between the revenue's use and the types of projects upon which the mitigation requirements are imposed;
 4. Demonstrates a reasonable relationship between the need for the public facilities and the types of developments upon which the fees are imposed;
- and

1 5. Demonstrates a reasonable relationship between the amount of the
2 mitigation and the cost of the public facilities or portions of the facilities
3 attributable to the development upon which the fees are imposed; and

4 **WHEREAS**, the City has established a traffic mitigation fee structure based on the
5 SANBAG development mitigation requirements; and

6 **WHEREAS**, detailed descriptions of the proposed traffic improvements, their
7 approximate location, size, approximate time of availability and their estimated costs are set forth
8 in the Development Mitigation Nexus Study (Appendix K of the SANBAG Congestion
9 Management Program), approved by the SANBAG Board of Directors, acting as the San
10 Bernardino County Congestion Management Agency, on October 5, 2005; and

11 **WHEREAS**, the fees collected pursuant to this Resolution shall be used to finance
12 the traffic improvements described or identified in the SANBAG Nexus Study; and

13 **WHEREAS**, after considering the specific projects to be funded by the
14 development impact fees and the cost estimates contained in the SANBAG Nexus Study, the City
15 Council approves such projects and cost estimates and finds them reasonable as the basis for
16 calculating and imposing the development impact fees; and

17 **WHEREAS**, the projects and fee methodologies identified in the SANBAG
18 Nexus Study are consistent with the City's General Plan.

19 **WHEREAS**, copies of the SANBAG Nexus Study are on file in the City Clerk's
20 office and have been made available for public review in accordance with state law, as more fully
21 described below; and

22 **WHEREAS**, this levying of development fees has been reviewed by the City
23 Council and staff in accordance with the California Environmental Quality Act ("CEQA") and the
24 CEQA Guidelines and the City of Colton's Local Guidelines for implementing CEQA and it has
25 been determined that the adoption of this ordinance is exempt from CEQA pursuant to Section
26 15061(b)(3), Section 15262, 15273, and Section 15301 of the CEQA Guidelines; and

27 **WHEREAS**, the City has: 1) made available to the public, at least ten days prior
28 to its public hearing, data indicating the estimated cost required to provide the facilities and
29 infrastructure for which these revised development fees are levied and the revenue sources
30 anticipated to provide those facilities and infrastructure; 2) mailed notice at least fourteen days
31 prior to this meeting to all interested parties who have requested notice of new or increased
32 development fees; and 3) held a duly noticed, regularly scheduled public hearing at which oral
33 and written testimony was received regarding the proposed fees; and

34 **WHEREAS**, the City Council has reviewed and considered the staff report, the
35 SANBAG Nexus Study and all oral and written testimony.

36 **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE**
37 **CITY OF COLTON:**

38 **SECTION 1. ADOPTION OF FINDINGS.** The City Council of the City of
39 Colton hereby adopts the recitals set forth in this resolution as findings to justify adoption of the
40 Traffic Mitigation Fees. The City Council further adopts the findings set forth in the SANBAG
41 Nexus Study to further justify adoption of the Traffic Mitigation Fees.

1 SECTION 2. ADOPTION OF NEXUS STUDY. The City Council hereby
2 adopts the Development Mitigation Nexus Study (Appendix K of the SANBAG Congestion
3 Management Program), approved by the SANBAG Board of Directors, acting as the San
4 Bernardino County Congestion Management Agency, on October 5, 2005 as the basis for
development of traffic mitigation fees by the City. A copy of the Development Mitigation
Nexus Study is attached hereto as Exhibit "A" to this Resolution.

5 SECTION 3. ADOPTION OF SANBAG TRAFFIC MITIGATION FEES. The
6 City Council hereby adopts the Traffic Mitigation Fees attached hereto as Exhibit "B", Table 4 to
7 this Resolution. City Council may update its Traffic Mitigation Fees yearly to accommodate
construction cost escalation based on Caltrans construction cost index, as approved and adopted.

8 SECTION 4: CEQA FINDINGS. The City Council hereby finds and determines
9 that it can be seen with certainty that there is no possibility that this Resolution may have a
10 significant adverse effect on the environment. Thus, the adoption of this Resolution is exempt
11 from the requirements of the California Environmental Quality Act (Public Resources Code §§
21000 et seq.) ("CEQA") pursuant to Section 15061(b)(3) of the CEQA Guidelines. This
12 resolution merely establishes authority for the collection of development impact fees. Staff is
directed to file a Notice of Exemption with the San Bernardino County Clerk's Office within five
(5) working days of the adoption of this Resolution.

13
14 SECTION 5: EFFECTIVE DATE. This Resolution shall become effective sixty
15 (60) days after its adoption.
16
17

18 _____
19 , Mayor
20
21

22 ATTEST:
23

24 _____
25 Carolina P. Barrera, City Clerk
26

26 STATE OF CALIFORNIA)
27 COUNTY OF SAN BERNARDINO) ss.
28 CITY OF COLTON)

1 I, CAROLINA P. BARRERA, City Clerk of the City of Colton, do hereby certify
2 that foregoing Resolution No. _____ was duly and regularly adopted by the City Council of the
3 City of Colton at an adjourned regular meeting thereof on the __ th day of _____, 2006 and that
the same was passed and adopted by the following vote, to wit:

4 AYES:

5 NOES:

6 ABSENT:

7 ABSTAIN:
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10 Carolina P. Barrera, City Clerk
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EXHIBIT A
[Attach SANBAG Nexus Study]

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EXHIBIT B
[Attach SANBAG Fees]

Exhibit B: Colton Proposed Circulation Fees

Land Use Category	Quantity	Parameter	Trips/Unit	Total Trips	Max Fee Without Retail Pass-By Reduction	Total Trips	Max Fee with Retail Pass-By Reduction
SFDU	3,510	Units	9.57	33591	\$ 2,660	33591	\$ 3,149
MFDU	1,308	Units	5.86	7665	\$ 1,629	7665	\$ 1,928
Retail	1,221	KSF	38.66	47185	\$ 10,747	23592	\$ 6,360
Office	89	KSF	9.21	820	\$ 2,560	820	\$ 3,030
Industrial	13,346	KSF	4.7	62726	\$ 1,307	62726	\$ 1,546
				151986		128394	
				\$ 278		\$ 329	

EXHIBIT 'D'

1 WHEREAS, the Traffic Impact Fees adopted in 2000, which are contained in
2 Section 11 and Exhibits "A" and "B" of Ordinance No. 0-02-00, are significantly lower than what
3 was found to be appropriate fee levels and are thus incapable of generating amounts needed to
4 pay for the traffic improvements required to sustain needed levels of business and economic
5 development; and

6 WHEREAS, the City Council finds it reasonable and prudent to adjust the Traffic
7 Impact Fees for inflation, using the Construction Cost Index, an industry standard index
8 published in the Engineering News Report ("Data"); and

9 WHEREAS, the revised Traffic Impact Fees, the Mohle-Grover Study and Data
10 comply with California Government Code, Section 66001 by establishing the basis for the
11 imposition of the fee. In particular, they:

- 12 1. Identify the purpose of the revised fees;
- 13 2. Identify the use to which the fees will be put;
- 14 3. Demonstrate a reasonable relationship between the fees' use and the
15 types of projects upon which the fees are imposed;
- 16 4. Demonstrate a reasonable relationship between the need for the public
17 facilities and the types of developments upon which the fees are imposed;
18 and
- 19 5. Demonstrate a reasonable relationship between the amount of the fees
20 and the cost of the public facilities or portions of the facilities attributable to
21 the development upon which the fees are imposed; and

22 WHEREAS, adjustment of the Traffic Impact Fees using the Construction Cost
23 Index provides a reasonable measure of the increases of labor, construction and materials costs
24 for traffic improvements.

25 NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY
26 OF COLTON:

27 SECTION 1. Recitals. The City Council hereby finds that the above recitals are
28 true and correct and are incorporated herein as if fully set forth. The City Council further adopts
the findings contained in Section 5 of Ordinance No. 0-02-00 in support of the adjustment to the
Traffic Impact Fees based on the Construction Cost Index.

SECTION 2. Amendments to Ordinance No. 0-02-00. The City Council, finds
that the proposed Traffic Impact Fees, as set forth in Exhibit "A" and Exhibit "B" which are
attached hereto and incorporated herein by this reference, are reasonable and necessary to
support current and future development in the City of Colton. The City Council hereby adopts
the Traffic Impact Fees identified in the attached Exhibits "A" and "B" and hereby repeals the

1 former Traffic Impact Fees contained in Ordinance No. O-02-00.

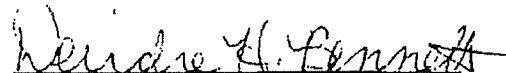
2 SECTION 3. Remaining Provisions. The City Council hereby finds that all
3 remaining sections and provisions of Ordinance O-02-00 shall remain in full force and effect.


4 SECTION 4. Severability. If any provision or clause of this Ordinance or any
5 application of it to any person, firm, organization, partnership or corporation is held invalid, such
6 invalidity shall not affect other provisions of this Ordinance which can be given effect without the
7 invalid provision or application. To this end, the provisions of this Ordinance are declared to be
8 severable.

9 SECTION 5. CEQA Findings. The City Council hereby finds and determines
10 that it can be seen with certainty that there is no possibility that this Ordinance may have a
11 significant adverse effect on the environment. Thus, the adoption of this Ordinance is exempt
12 from the requirements of the California Environmental Quality Act (Public Resources Code §§
13 21000 et seq.) ("CEQA") pursuant to Section 15061(b)(3) of the CEQA Guidelines. This
14 Ordinance merely establishes authority for the collection of development impact fees. Staff is
15 directed to file a Notice of Exemption with the San Bernardino County Clerk's Office within five
16 (5) working days of the adoption of this Resolution.

17 SECTION 6. Effective Date. This Ordinance shall become effective thirty (30)
18 days after its adoption. However, the Traffic Impact Fees adopted herein shall not become
19 effective until sixty (60) days after the adoption of this ordinance.

20 PASSED, APPROVED AND ADOPTED this 19th day of September, 2006.

21 
22 DEIRDRE H. BENNETT,
23 Mayor

24 ATTEST:
25 
26 CAROLINA P. BARRERA, CMC
27 City Clerk
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EXHIBIT "A"
AMENDED TRAFFIC IMPACT FEES

[ATTACHED]

Exhibit B: Colton Proposed Circulation Fees

Land Use Category	Quantity	Parameter	Trips/Unit	Total Trips	Max Fee Without Retail Pass-By Reduction	Total Trips	Max Fee with Retail Pass-By Reduction
SPDU	3,510	Units	9.57	33591	\$ 2,660	33591	\$ 3,149
MFDU	1,308	Units	5.86	7665	\$ 1,629	7665	\$ 1,928
Retail	1,221	KSF	38.66	47185	\$ 10,747	23592	\$ 6,360
Office	89	KSF	9.21	820	\$ 2,560	820	\$ 3,030
Industrial	13,346	KSF	4.7	62726	\$ 1,307	62726	\$ 1,546
				151986		128394	
				\$ 278		\$	329

Exhibit B: Colton Proposed Circulation Fees
Arterial, Interchange and Railroad Crossings Improvements

Land Use Category	Parameter	Trips/Unit	Max Fee With Retail Pass-By Reduction
SFDU	Units	9.57	\$3,149
MFDU	Units	5.86	\$1,928
Retail	KSF	38.66	\$6,360
Office	KSF	9.21	\$3,030
Industrial	KSF	4.7	\$1,546

Update of Traffic Impact Fees

- Amending Section 11 of Ordinance #0-02-00 establishing local traffic impact fees.
- Adoption of resolution establishing Colton's Fair Share Transportation Fee as mandated in Measure I (2010-2040)

Amendment of

Section 11 of Ordinance #0-02-00

- **Background:**

- **1997:** City Council commissioned Topping Jacques Consulting to conduct a citywide Capital Infrastructure Study. The City Council approved and adopted a level of traffic fees presented in the Study in 2000 via City Ordinance #0-02-00.
- Section 11 of this ordinance directly relates to traffic fees, which are based on a document prepared by the traffic engineering firm Mohle, Grover and Associates in 1993. The fees established in 1993 were revised and updated by City staff in 1999.
- The City of Colton's current traffic fees have not been updated since 2000.
- The current level of traffic fees is insufficient to support the current level of development and growth the City is experiencing, much less anticipated growth for this area in the near future.

Amendment of Section 11 of Ordinance #0-02-00

- **Analysis/Discussion of Proposed New Fees:**
 - The fees for the first four years are based on the ENR construction index. The ENR Construction Cost Index has ranged from 0.5% to just over 3% over the last five years; these are the “escalators” staff added to the existing traffic fees
 - For year 2006 fees only, the fees incorporate the 24% Construction Cost Index as recommended by Caltrans and SANBAG.
 - It is necessary to include the one-time 24% escalator because it will:
 - Ensure that the City will be able to collect enough revenue to cover the City’s fair share requirements for upcoming projects,
 - Ensure the City’s collection of Measure I Funds, on which the City heavily relies for much needed transportation projects.
 - Ensure the City will be able to provide the necessary match for projects that use Measure I transportation funds.

ITEM #	LAND USE	TRIP RATE (TRIPS / DAY)	UNIT	CALCULATED CHARGES	EXISTING FEES	2006	AMOUNT DIFFERENCE
1	SINGLE FAMILY RESIDENTIAL	10	DU	\$938.20	\$940.00	\$1,381.80	\$441.80
2	APARTMENT	6.1	DU	\$572.30	\$570.00	\$837.90	\$267.90
3	CONDOMINIUM	5.86	DU	\$549.79	\$550.00	\$808.50	\$258.50
4	MOBILE HOME	4.81	DU	\$451.27	\$450.00	\$661.50	\$211.50
5	RETIREMENT COMMUNITY	3.3	DU	\$309.61	\$310.00	\$455.70	\$145.70
6	HOTEL	8.7	ROOM	\$816.23	\$820.00	\$1,205.40	\$385.40
7	MOTEL	10.19	ROOM	\$956.03	\$960.00	\$1,411.20	\$451.20
8	PARK	36.55	ACRE	\$3,429.12	\$3,430.00	\$5,042.10	\$1,612.10
9	GOLF COURSE	8.33	ACRE	\$781.52	\$780.00	\$1,146.60	\$366.60
10	MOVIE THEATER	220	SCREEN	\$20,640.40	\$20,640.00	\$30,340.80	\$9,700.80
11	PARK & RIDE FACILITY	4.18	SPACE	\$392.17	\$390.00	\$573.30	\$183.30
12	LIGHT INDUSTRIAL	6.97	KSF	\$653.93	\$650.00	\$955.50	\$305.50
13	HEAVY INDUSTRIAL	1.5	KSF	\$140.73	\$140.00	\$205.80	\$65.80
14	INDUSTRIAL PARK	6.97	KSF	\$653.93	\$650.00	\$955.50	\$305.50
15	WAREHOUSE	4.88	KSF	\$457.84	\$460.00	\$676.20	\$216.20

16	ELEMENTARY SCHOOL	10.65	KSF	\$999.18	\$1,000.00	\$1,470.00	\$470.00
17	HIGH SCHOOL	10.9	KSF	\$1,022.64	\$1,020.00	\$1,499.40	\$479.40
18	JUNIOR COLLEGE	12.87	KSF	\$1,207.46	\$1,210.00	\$1,778.70	\$568.70
19	CHURCH	7.7	KSF	\$722.41	\$720.00	\$1,058.40	\$338.40
20	DAY CARE CENTER	67	KSF	\$3,142.97	\$3,140.00	\$4,615.80	\$1,475.80
21	LIBRARY	45.5	KSF	\$1,067.20	\$1,070.00	\$1,572.90	\$502.90
22	HOSPITAL	16.69	KSF	\$1,565.86	\$1,570.00	\$2,307.90	\$737.90
23	NURSING HOME	2.6	BED	\$243.93	\$240.00	\$352.80	\$112.80
24	General Office (1 KSF)	43.38	KSF	\$4,069.91	\$1,301	\$1,912.47	\$611.47
25	General Office (3 KSF)	32.96	KSF	\$3,092.31	\$1,243	\$1,827.21	\$584.21
26	General Office (5 KSF)	29.01	KSF	\$2,721.72	\$1,221	\$1,794.87	\$573.87
27	General Office (7 KSF)	26.67	KSF	\$2,502.18	\$1,208	\$1,775.76	\$567.76
28	General Office (10 KSF)	24.39	KSF	\$2,288.27	\$1,195	\$1,756.65	\$561.65
29	General Office (15 KSF)	22.04	KSF	\$2,067.79	\$1,182	\$1,737.54	\$555.54
30	Business Park	12.42	KSF	\$1,165.24	\$1,129	\$1,659.63	\$530.63

31	Building Materials/Lumber	30.56	KSF	\$2,867.14	\$1,230	\$1,808.10	\$578.10
32	Hardware & Paint	51.3	KSF	\$4,812.97	\$1,345	\$1,977.15	\$632.15
33	Discount Store	71.16	KSF	\$5,340.98	\$1,456	\$2,140.32	\$684.32
34	Shopping Center (5 KSF)	212.02	KSF	\$4,972.93	\$2,239	\$3,291.33	\$1,052.33
35	Shopping Center (10 KSF)	166.35	KSF	\$3,901.74	\$1,985	\$2,917.95	\$932.95
36	Shopping Center (15 KSF)	144.34	KSF	\$4,739.69	\$1,863	\$2,738.61	\$875.61
37	Shopping Center (20 KSF)	130.52	KSF	\$5,510.42	\$1,786	\$2,625.42	\$839.42
38	Shopping Center (25 KSF)	120.71	KSF	\$5,662.51	\$1,731	\$2,544.57	\$813.57
39	Shopping Center (30 KSF)	113.25	KSF	\$5,843.81	\$1,690	\$2,484.30	\$794.30
40	Quality Restaurant	95.62	KSF	\$8,971.07	\$1,592	\$2,340.24	\$748.24

41	High Turnover Sit Down 1	200.89	KSF	\$11,308.50	\$2,177	\$3,200.19	\$1,023.19
42	Fast Food (1 KSF)	632.13	KSF	\$14,826.61	\$4,576	\$6,726.72	\$2,150.72
43	Fast Food (3 KSF)	632.08	KSF	\$14,825.44	\$4,576	\$6,726.72	\$2,150.72
44	Fast Food (5 KSF)	476.35	KSF	\$15,641.90	\$3,710	\$5,453.70	\$1,743.70
45	Fast Food (7 KSF)	409.61	KSF	\$17,293.32	\$3,338	\$4,906.86	\$1,568.86
46	Fast Food (10 KSF)	359.55	KSF	\$16,866.49	\$3,060	\$4,498.20	\$1,438.20
47	Fast Food (15 KSF)	320.62	KSF	\$16,544.31	\$2,843	\$4,179.21	\$1,336.21
48	New Car Sales	24.04	EMP	\$2,029.89	\$2,029.00	\$2,982.63	\$953.63
48	New Car Sales 2	47.52	KSF	\$4,012.49	\$1,324	\$1,946.28	\$622.28
49	Service Station	133	PUMP	\$5,240.79	\$2,220	\$3,263.40	\$1,043.40
50	Carwash	108	STALL	\$10,132.56	\$1,660	\$2,440.20	\$780.20

51	Supermarket	125.5	KSF	\$6,475.93	\$1,758	\$2,584.26	\$826.26
52	Covernience Market	887.06	KSF	\$45,773.18	\$5,994	\$8,811.18	\$2,817.18
53	Clothing Store	33.33	KSF	\$3,127.02	\$1,245	\$1,830.15	\$585.15
54	Furniture Store	4.35	KSF	\$408.12	\$1,084	\$1,593.48	\$509.48
55	Bank (1 KSF)	295.89	KSF	\$13,880.20	\$2,706	\$3,977.82	\$1,271.82
56	Bank (3 KSF)	232.36	KSF	\$10,900.01	\$2,352	\$3,457.44	\$1,105.44
57	Bank (5 KSF)	207.66	KSF	\$9,741.33	\$2,215	\$3,256.05	\$1,041.05
58	Bank (7 KSF)	192.85	KSF	\$9,046.59	\$2,132	\$3,134.04	\$1,002.04
59	Bank (10 KSF)	178.29	KSF	\$8,363.58	\$2,051	\$3,014.97	\$963.97
60	Bank (15 KSF)	163.08	KSF	\$7,650.08	\$1,967	\$2,891.49	\$924.49
61	Insurance Office	11.45	KSF	\$1,074.24	\$1,123	\$1,650.81	\$527.81

Adoption of SANBAG Development
Mitigation Nexus Study

- **Background:**
 - **November 2004:** San Bernardino County voters approve extension of Measure I funding.
 - **October 2005:** SANBAG approved a Development Mitigation Nexus Study that contains information and data that form the basis for identifying fair share contributions from new development in Colton.

SANBAG Nexus Study

- Analysis/Discussion:

- SANBAG has determined that the City of Colton's fair share of projects, including a 24 % escalator determined by Caltrans to reflect rising rate of construction costs, for Fiscal Year 2006 is \$42,200,000
- The following table shows the fees based on calculations of fair share contribution by the future growth. Fee per trip calculations were determined by dividing the fair share cost by the total number of trips.

Land Use Category	Quantity	Parameter	Trips/Unit	Total Trips	Proposed Fee "A"		Total Trips	Proposed Fee "B"	
					Max Fee Without Retail Pass-By Reduction			Max Fee with Retail Pass-By Reduction	
SFDU	3,510	Units	9.57	33591	\$ 2,660		33591	\$ 3,149	
MFDU	1,308	Units	5.86	7665	\$ 1,629		7665	\$ 1,928	
Retail	1,221	KSF	38.66	47185	\$ 10,747		23592	\$ 6,360	
Office	89	KSF	9.21	820	\$ 2,560		820	\$ 3,030	
Industrial	13,346	KSF	4.7	62726	\$ 1,307		62726	\$ 1,546	
				Total Trips: 151986			Total Trips: 128394		
					Cost per trip without pass-by reduction: \$42,000,000/128394 = \$ 278/ trip	Cost per trip with pass-by reduction: \$42,000,000/151986 = \$ 329 / trip			

Below: A table reflecting other local jurisdiction's fee-per-square foot for the same five distinct land uses reflected in the preceding tables. Colton remains competitive with local entities even with the proposed increase in fees.

	SFDU	MFDU	Retail	Office	Industrial/Warehouse
Colton	\$3,169	\$1,928	\$6.36	\$3.03	\$1.55
Apple Valley	\$5,301	\$3,539	\$7.15	\$7.15	\$1.96
Fontana	\$3,580	\$2,177	\$5.45	\$4.36	\$2.36
Grand Terrace	\$3,619	\$2,216	\$8.12	\$4.16	\$2.64
Montclair	\$2,214	\$1,555	\$3.39	\$0.68	\$1.61
Ontario (New Colony Model)	\$5,678	\$3,736	\$9.58	\$6.39	\$3.01
Rancho Cucamonga	\$3,658	\$2,195	\$5.49	\$4.39	\$2.20
San Bernardino	\$1,844	\$1,235	\$1.99	\$1.99	\$1.21

APPENDIX D

CURRENT IMPACT FEE SUMMARY



City of Colton Impact Fee Summary

Page 1 of 3

Following is a summary of impact fees assessed by the City of Colton on new development. Please contact the Public Works Department (909.370.5065 | 160 S. 10th Street) for a precise calculation of impact fees for your development. Fees are current as of July 2013 but are subject to change at any time.

Infrastructure Fee ("SANBAG Fee")

Circulation Fees for Arterial, Interchange and Railroad Crossings Improvements

Land Use Category	Parameter	Trips/Unit	Fee
Single Family	Units	9.57	\$4,007
Multi-Family	Units	5.86	\$2,453
Retail	KSF	38.66	\$8,093
Office	KSF	9.21	\$3,856
Industrial	KSF	4.7	\$1,967

Long Range Developer Traffic Impact Fees

Item #	Land Use	Trip Rate (Trips/Day)	Unit	Fee
1	Single Family Residential	10	DU	\$ 1,381.80
2	Apartment	6.1	DU	\$ 837.90
3	Condominium	5.86	DU	\$ 808.50
4	Mobile Home	4.81	DU	\$ 661.50
5	Retirement Community	3.3	DU	\$ 455.70
6	Hotel	8.7	Room	\$ 1,205.40
7	Motel	10.19	Room	\$ 1,411.20
8	Park	36.55	Acre	\$ 5,042.10
9	Golf Course	8.33	Acre	\$ 1,146.60
10	Movie Theater	220	Screen	\$ 30,340.80
11	Park & Ride Facility	4.18	Space	\$ 573.30
12	Light Industrial	6.97	KSF	\$ 955.50
13	Heavy Industrial	1.5	KSF	\$ 205.80
14	Industrial Park	6.97	KSF	\$ 955.50
15	Warehouse	4.88	KSF	\$ 676.20
16	Elementary School	10.65	KSF	\$ 1,470.00
17	High School	10.9	KSF	\$ 1,499.40
18	Junior College	12.87	KSF	\$ 1,778.70
19	Church	7.7	KSF	\$ 1,058.40
20	Day Care Center	67	KSF	\$ 4,615.80
21	Library	45.5	KSF	\$ 1,572.90
22	Hospital	16.69	KSF	\$ 2,307.90
23	Nursing Home	2.6	Bed	\$ 352.80

City of Colton Impact Fee Summary

Page 2 of 3

24	General Office (1 KSF)	43.38	KSF	\$ 1,912.47
25	General Office (3 KSF)	32.96	KSF	\$ 1,827.21
26	General Office (5 KSF)	29.01	KSF	\$ 1,794.87
27	General Office (7 KSF)	26.67	KSF	\$ 1,775.76
28	General Office (10 KSF)	24.39	KSF	\$ 1,756.65
29	General Office (15 KSF)	22.04	KSF	\$ 1,737.54
30	Business Park	12.42	KSF	\$ 1,659.63
31	Building Materials/Lumber	30.56	KSF	\$ 1,808.10
32	Hardware & Paint	51.3	KSF	\$ 1,977.15
33	Discount Store	71.16	KSF	\$ 2,140.32
34	Shopping Center (5 KSF)	212.02	KSF	\$ 3,291.33
35	Shopping Center (10 KSF)	166.35	KSF	\$ 2,917.95
36	Shopping Center (15 KSF)	144.34	KSF	\$ 2,738.61
37	Shopping Center (20 KSF)	130.52	KSF	\$ 2,625.42
38	Shopping Center (25 KSF)	120.71	KSF	\$ 2,544.57
39	Shopping Center (30 KSF)	113.25	KSF	\$ 2,484.30
40	Quality Restaurant	95.62	KSF	\$ 2,340.24
41	High Turnover Sit Down 1	200.89	KSF	\$ 3,200.19
42	Fast Food (1 KSF)	632.13	KSF	\$ 6,726.72
43	Fast Food (3 KSF)	632.08	KSF	\$ 6,726.72
44	Fast Food (5 KSF)	476.35	KSF	\$ 5,453.70
45	Fast Food (7 KSF)	409.61	KSF	\$ 4,906.86
46	Fast Food (10 KSF)	359.55	KSF	\$ 4,498.20
47	Fast Food (15 KSF)	320.62	KSF	\$ 4,179.21
48	New Car Sales	24.04	EMP	\$ 2,982.63
49	New Car Sales 2	47.52	KSF	\$ 1,946.28
50	Service Station	133	Pump	\$ 3,263.40
51	Carwash	108	Stall	\$ 2,440.20
52	Supermarket	125.5	KSF	\$ 2,584.26
53	Convenience Market	887.06	KSF	\$ 8,811.18
54	Clothing Store	33.33	KSF	\$ 1,830.15
55	Furniture Store	4.35	KSF	\$ 1,593.48
56	Bank (1 KSF)	295.89	KSF	\$ 3,977.82
57	Bank (3 KSF)	232.36	KSF	\$ 3,457.44
58	Bank (5 KSF)	207.66	KSF	\$ 3,256.05
59	Bank (7 KSF)	192.85	KSF	\$ 3,134.04
60	Bank (10KSF)	178.29	KSF	\$ 3,014.97
61	Bank (15 KSF)	163.08	KSF	\$ 2,891.49
62	Insurance Office	11.45	KSF	\$ 1,650.81

Development Impact Mitigation Fees Per Developed Unit*

General Plan Category	Civic Center	Fire Station	Library	Police Station
Single Family Residential	\$77	\$106	\$215	\$149
Multiple Family Residential	\$67	\$93	\$191	\$131

City of Colton Impact Fee Summary

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Commercial: C1 and C2	\$65	\$90	\$59	\$126
Office/Business Park	\$71	\$98	\$43	\$138
Industrial: M1 and M2	\$26	\$36	\$23	\$50
Industrial Park	\$39	\$54	\$35	\$76

*Development Unit – Dwelling unit for residential and 1,000 square feet of building area for commercial and industrial.

Quimby and Park Impact Fee Programs

Quimby In-lieu Fees	Fee
Single Family Housing	\$2,858
Multiple Family Housing	\$1,818
Mobile Homes	\$2,062

Park Development Impact Fees

Residential (Per Unit)	Fee
Single Family Housing	\$5,636
Multiple Family Housing	\$3,593
Mobile Homes	\$4,073
Second Residential Units	\$1,497
Nonresidential (Per Sq. Ft)	
Retail/Other	\$0.28
Office	\$0.46
Industrial	\$0.19

****This is not an official record of impact fees. Applicants should contact the Public Works Department directly for the free calculations associated with their projects****

APPENDIX E

STAFF ANALYSIS OF FUND 250

UPDATED FOR 6/30/2014

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